G. R. S. 58]

Previous references.

Legis 24-11

191

(Legis)

File No. 8-12

Serial Nos. 1-42

Later references.

Legis 28-15 (1-22)
Conf! coll^n no. 205. (Vol II)
Legis 35-15 (6-12)
P. P. 53-20-1107.
C.B. 239-22-1 (Confdl)
G.R. 22-1-16 (Confdl)
L.R. 383-44-1-7.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-42

Part B for

SUBJECT.

Distribution of annuities under the provisions of the Yelandur Jahgir Regulation, 1885.

Letter No. 83 dated 30/8/12 from the Jahgirdar of Yelandur stating that para 6 of Govt order No. 484-7-Legis 24-11-16 dated 12th Aug: 1912 regarding the distribution of annuities is in contravention of the provisions of the Regn. I of 1885. and requests that the order may be reconsidered

42. No. 1366-8 & 5/10/15
do Lady Kaveri Bai Krishnamurthy,
Mr Narasinga Rao Purnaiya Jahgirdar of Yelandur, and
" Srinivasa Murthy Purnaiya.

In modification of the previous orders on the point fixes the annuity payable to Lady Krishnamurthy at Rs 6000 a year with an additional sum of Rs 4000 a year only during her life time an annuity of Rs 5000 to each of Mr Narasinga Rao Purnaiya and Srinivasamurthy Purnaiya sons of the late Mr P. N. Purnaiya. The above distribution to have effect from the date of the death of Sir P. N. Krishnamurthy.

GPB—10,000—23-3-15

No J. 199.
7.6.15.

No. C 121
7.11.1912.

G.R.S. 111

1912-13

GENERAL AND REVENUE SECRETARIAT.

(Legis.)

NOTES

File No. 8-12

FILE HEADING.

Distribution of annuities under the provisions of the Jelandar Jahgir Regn., 1885

From Narsinga Rao Bhumaiya, Jahgirdar of Jelandar

No. 2 Dated 14/8/12 Received 15/8/12

Diary No.	Enclos.	Spare Copies.	Serial No.
457			1

BRIEF ABSTRACT OF LETTER.

states that para 6 of the Govt. order No. J 464-7-Legis 24-11-16 dated 12th Aug: 12 in ~~in confusion~~ regarding the distribution of annuities is in contravention of the provisions of the Regn I of 1885.

NOTES AND ORDERS.

Subd for information. The detailed representation promised may be awaited

SMC(1)
17/8/12

2 May be laid to Council
L. Dewan for Secretary

NOTES—First Sheet 1

7/8/12

GPB—80,000—27-6-11

R. S. 12

General and Revenue Secretariat. | Le. File No. 6 of 191

Serial No.
3
1
4
5
6
1

3 Submitted for perusal

23/7/8

SA 17/8/12

18.2 Commandant Dewan

4 Seen

19/8/12

23/8/12

SA 21/8/12

5

22/8/12

6 Dewan

23/8/8

SA 23/8/12

1 Seen

Secretary

23/8/8

SA 28-8-12

No 911 dated 16/8/12
From the Jaghirdar of Yelandur
Encloses copies of his brother Mr Srinivasa Murthis appn and relative to his annuity and his reply thereto and state

GPB—6,000—17-6-12.

General and Revenue Secretariat.

Legis File No. 8 of 1912-13

Serial No.	
	that his further representation in the matter will follow
3	No J 83 dated 31/8/12 From the Jahgirdar of Yelandur Represents that the redistribution of annuity made in para 6 was ultra vires in as much as ~~that matter was outside~~ the enquiry held by Govt which has resulted in the G.O. was only for the purpose of ascertaining the successor to the ~~late Sir P.N. Krishnamurthy~~ Yelandur Jahgir; ~~that~~ Lady Krishnamurthy as a widow of a member of the Hindu joint family is entitled only to maintainance and no more, and therefore request for the cancellation of the directions contained in para 6 of G.O. No J 464-7 Legis 24-11-15 dt 12/8/12
4	~~No J 86 dated 2/9/12 From the Jahgirdar of Yelandur~~
4	Letter dated 31/8/12 2/9/12 From K. Srinivasa Murthy Purneya States that as the younger brother of the present Jahgirdar he is entitled to get an annuity of Rs 10

NOTE—Contn. sheet.

GPB—6,000—17-6-12.

[G. R. S. 12]

General and Revenue Secretariat. | Legis File No. 8 of 1912

Serial No.

800

I have something to say on the questions raised, which perhaps would be better not to note at this stage, till it is decided whether the parties are to be heard. The matter may best be considered at a meeting.

12/9/12

2nd Councilor

23 12/9

SA 12/9/12

18/9/12

Dewan

23 19/9

SA 19/9/12

Hon'ble Minister

That a meeting of Council is fixed for the disposal of the above case on which date my two Assessor Colleagues and the parties may be present.

5 Nov 12

3491 20-9-12

NOTE—Contn. sheet.

GPB—20,000—20-1-12

No. 265
16. 4. 14 — 3 + 3
30. 9. 13

C.S. No 214.
17. 2. 13.

C.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Drafts of letters for signature
to be addressed to
Messrs Narasinga Row Parnaigar
& Srinivasamurthi Parnaigar
& to Lady Krishnamurthi
asking them to appear on
the 8th March when their
Case will be heard by the
Dewan & members of Council
to submit for
approval.

17/2/13

1st Councillor
& Dewan.

Drafts approved & Letters issued

17/2/13

N. B.—Should routine notes be written on small slips, the notes must be copied or slips pasted on this form.

GPB—25,000—23-7-12

I fear the date will have to

G.R.S. 15]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Jo. No. 1308 24.2.13

Charged in Accounting my Salaried Tax.

The file may be brought with other Stores & Head Quarters

22.2.13 RG

24/2/13

The Cheques will be Dated 26th March on approval of the Dewan's Counsellors may be invited.

After wards this will be with Head for the Personal Ch. Counsellors

3/8/13

N. B — Should routine notes be written on small slips, the notes must be copied or slips pasted on this form.

GPB—25,000—23-7-12

G. R. S. 12]
General and Revenue Secretariat.

File No. of 190

Serial No. 11

From the Jagirdar of Yelandur

No. B. dated 5. 3. 1913.

Requests to be favoured with copies of representations if any, made by Lady Krishna Murti and Sir Srinivasa Murti Sivaraja viz the matter of the annuities due to them from the Jaghir revenues; and forwards Rs 5/- towards the copying fee.

To, The Jagheirdar of Yelandur,

No 200 dated 8/3/1913.

In reply to the above, I have the opinion to inform that the question of granting copies of representations will be considered by Govt after hearing the parties on the 26th March. viz returns Rs 5/- received with the above.

NOTE—Contn. sheet.

GPB—55,000—27-4-09

Note.

I beg to tender my heartiest thanks to the Government of His Highness the Maharaja for the opportunity graciously afforded to me to submit my humble personal representation in the matter of readjustment of annuities as ordered in their Order No. J.464-7 Legis.24-11-15 dated 12th August 1912. I now beg leave to present my case in the form of a short note which runs as follows:-

A. Government Order, para 6, revises and fixes the annuities of the first branch, as a " consequential arrangement" as follows:-

(1). Rupees 10,000/- to Lady Krishna Murti as widow and legal heir of the late Sir P.N.Krishna Murti.

(2) Rupees 6,000/- to Mr. Narasingarao Purnaiya, eldest son of the late Mr. P.N. Purnaiya.

B. This order calls for revision and reconsideration for the following reasons :-

1. Grounds of Jurisdiction :-

(a). It was passed in a case relating to the succession to the Jaghir about which alone claimants were invited by duly published notice (clause 2, section 5 of the Yelandur Jaghir Regulation). There was no case for the revision of the annuities of Branch I before Government and no prayer on the part of either Lady Krishna Murti or Mr. Narasingarao Purnaiya for the same. The Regulation does not provide for the exercise of such jurisdiction. Nor had the parties interested in the matter notice of the same.

(b). It is also against the express provisions of the Regulation contained in section 5, clause 3, according to which the original jurisdiction over claims to annuities rests with the Jaghirdar, the Government having a right to hear appeals against his decisions.

(c). The right to the annuity of Rs. 10,000/- having

having passed by inheritance on the prior death of Mr. P. N. Purnaiya to his sons, it could not be legally divested or disturbed in the manner done.

(d). The power of altering or rearranging the annuities fixed by the Regulation is not reserved on behalf of the Government. Inheritance can never be in abeyance according to law.

Fiscal grounds :-

(a). Lady Krishna Murti is viewed by the Government Order as widow and heir of the late Sir P. N. Krishna Murti. If so, she could not either legally or ... equitably get more than what her husband was entitled to personally, viz, Rs. 6000/- per year.

(b). There is no reserve or spare fund out of which ... Rs. 10,000/- or Rs. 4000/- more than the personal interest of Sir P. N. Krishna Murti could be granted to his heir, if any. For, if the principle of inheritance is applied, Rs. 10,000/- of branch I had already been inherited under the law by Mr. P. N. Purnaiya's sons. If the principle of survivorship is applied on the footing of a joint and undivided Hindu family, it will be seen that the right to Rs. 10,000/- passed on by survivorship to Sir P. N. Krishna Murti, Mr. Narasingarao .... Purnaiya and Mr, Sreenivasa Murti Purnaiya; and on the death of Sir P. N. Krishna Murti the entire interest in Rs. 10,000/- became vested in Messrs. Narasingarao Purnaiya and Sreenivasa Murti Purnaiya Hence according to either view Rs. 10,000/- was not available for redistribution. And the surplus could not be touched as Jaghirdar has the statutory right to the savings from the Jaghir.

3. General objections :-

(a). Under the Regulation, only descendants of Dewan Purnaiya are entitled to annuity, but the widow of a descendant does not seem to be entitled to

litigation or other proceedings.

The most practicable and expedient course is, if the Government deem it fit, to call upon the .... parties to first produce the papers relating to the settlement from their joint custody. Unless and until this is done, the benefit of Government orders already passed regarding pension amount .. and annuity should be held in abeyance.

Narasinga Rao Suryaraja

26-3-1913,
Bangalore.

26th March 1913.

Before the Dewan - Connaught.

Present

Mr. Narasinga Rao Purnayya (in person)

Mr. M. Narasinga Rao (on behalf of Lady Kaveribai Krishnamurti)

[Mr. Srinivasamurti Purnayya was not present, as he had written representing his inability to attend today and stating that if the hearing cannot be adjourned to another date, he will leave his case in the hands of Govt to whom he has already submitted his representations in writing.]

(1) Mr. Narasinga Rao Purnayya presented a written note which was read out by Mr. Hiriannaiya, Private

Secretary to the Diwan -

Mr. Narasimha Rao Purnaiya said that the documents which Sir P.N. Krishnamurti had drawn up relating to his pension and other matters will, if perused, facilitate the disposal of the case. He therefore requested that Govt may arrange to obtain these papers which are in a safe in the room occupied by Lady Krishnamurti

He urged that para 6 of the G.O. relating to the distribution of Annuities should be cancelled as Govt cannot interfere in this matter under the Regulation

His contention is that under the Regulation the claims of the annuitants should be preferred to the Jaghirdar and that if they are not satisfied with his decision they may then appeal to Govt

He said that it was Sir P. N. Krishnamurti's desire that the annuity ~~pension~~ of Rs 6,000/- which stood in his name should go to his wife and after her time devolve on her daughter and her descendants

that Lady Krishnamurti was entitled to succeed to the jaghir and as she did not get it, she must atleast have the annuity of Rs 10,000/- which Mr P.V. Purnaiya was getting.

(3) Mr. Narasimha Rao Purnayya argued that as the family was undivided and as under the Regulation only descendants of Purnayya can succeed to Annuities, Lady Krishnamurti who is not a descendant, but the wife of a descendant is not entitled to an annuity at all. If, however, it is

decided that she is entitled, he concedes that it should go after her to her daughter and daughter's sons.

(4 As regards the claims of Mr. Srinivasamurti Purnayya, Mr. Narasimha Rao Purnayya was not willing to allow him more than half the annuity which, like himself, would be inherited by him from their father. He stated that this amount will be Rs 8,000/- or Rs 5,000/- according as Sir P.V. Krishnamurti's annuity is decided to be inherited by Mr Purnayya's

sons or by ~~his wife~~ Lady Krishnamurti He ~~said that~~ Sir P.N. Krishnamurti allowed Rs 10,000/- to his ~~brother~~ for special reasons and under special circumstances. But the same grounds do not exist for awarding Rs 10,000/- to Mr. Srinivasamurti Purnayya.

He finally suggested one of 3 courses,

(1) to give full effect to ~~Sir P.N. Krishnamurtis~~ intentions as ascertained from the papers in the iron safe - which the Govt may secure & examine.

(2) To arrange for the settlement of all the disputes

between the partners by arbitration ~~of~~ by some high & responsible Officers of Govt.

(3) Mr. J. Ekambaram abovenamed cannot be accepted

~~(3)~~ To decide the matter strictly according to the terms of the Regulation.

(6) The safe in which the family papers are deposited is said to be secured by 2 locks the Key of one (which was locked by Mr. Narasinga Rao Punnayya) being with Mr. Srinivasamurti Punnayya and that of the other with either Lady Krishnamurti or Raja Row Sahib on her behalf. It is said that there is a smaller box in the safe

the Gen. & Rev. Secretary or some other responsible officer of Govt may be asked to arrange for opening ~~the safe~~ in the presence and with ~~the~~ consent of all the parties concerned and to produce ~~them~~ before Govt for their perusal. ~~and disposal,~~ ~~in such manner as they consider proper~~. It was also decided that Mr. Srinivasamurti Purnayya should be heard personally before any formal decision is arrived at regarding his representation

G. R. S. 12]

General and Revenue Secretariat.

File No. of 191

Serial No.	
12	To, (1) Mr. Srinivasa murti Avvanaiya. (2) " B. Venkoba Rai (3) " Narasinga Rao Avvanaiya (4) Lady Haveribai Krishnamurti D. O. nos. 252, 253, 254 & 255 of 31. 3. 1913. Enquires if there is any objection to the safe which is reported to contain certain papers material to the disposal of the case pending before Govt being opened in the presence of the parties interested, by a responsible officer of Govt on the 6th April 1913 at 8 a.m.
13	From Mr. Narasingaram Avvanaiya no 2224 dated 2d April 1913. States that he has no objection to the safe being opened on the 6th inst, and that as Mr. Srinivasa murti in whose custody the Keys are, is reported to have left for Nellore, he has written to him to be present on the occasion with the Keys.

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

R. S. 12]

General and Revenue Secretariat.

File No. of 191

Serial No.	
14	From Mr. B. Venkoba Rao Asst: Comr: D.O. dated 3rd April 1913. States that he has no objection to the safe being opened on the 6th inst on certain conditions, and that he will be present on the occasion along with the other Sons-in-law of the late Mr. Avvanna. Mr. Venkoba Rao wants a reply in regard to the Confirmation of the date of inspection. Rd 4.4.13
15	From Lady Kaveribayi Krishna-murti Letter Dt 4-4-1913 States that she has no objection to the box being opened & the papers therein contained being perused for the object mentioned, & she would be glad to be present on the occasion through a proper representative &c. Submitted. 15 5-4-13

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

R. S. 12]

General and Revenue Secretariat.

File No. of 191

Serial No.	
16	From R. Ramachandra Row, Esq Collector, Nellore. Letter Dy 4-4-13 From Narasinga Rao Purnayya Esq. Letter Dy 5-4-13 From Srini Vasamurti Purnayya Esq. Letter Dy 4-4-13 Inform of Mr. Srinivasa-murti's inability to be present on the 6th Instant-
17	To (1) Narasinga Rao Purnayya Esq (2) B. Venkoba Rao Esq (3) Lady Kaveri Bai Krishnamurti no. 262-64 Dy 5-4-13. Informs that the date of opening of the safe has to be put off to some futu date on account of Mr. S. murti Purnayya's inabilit to be presen on the 5th Instt
18	To Narasinga Rao Purnayya Esq no. 265 Dy 9-4-13
19	To B. Venkoba Rao Esq. no. 266 Dy 9-4-13
20	To Lady Kaveri Bai Krishna murti no. 267 Dy 9-4-13
21	To Srini Vasa murti Purnayya no. 268 Dy 9-4-13

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

General and Revenue Secretariat. | File No. of 191

Serial No.

Saturday — 12th August 13.

I went to Purna prasad this morning; went in the presence of Mr Narasingaraw Purnaggi Srinivasamurthi Purnaggi & Venkatrao, & M Narasingaraw (nephew & representative of Lady Krishnamurthi) had the safe door in custody required papers opened in Ramadasappa Shet & in N Purnaggi. — in Sch Raw were also present.

The iron safe was fastened round by an chain in which a lock was attached. M M Narasingaraw having produced his key this lock, & M Srinivasamurthi Purnaggi the safe key was opened by Sch Raw. There was a wooden box inside the safe which was secured by 3 locks. The keys of these having been produced by M M Narasingaraw & Venkatrao and Srinivasamurthi Purnaggi (to Sch Raw?) they were also opened by Sch Raw. The box was full of papers, from among which the following were selected by in the presence of the

(1) A book of printed papers relating to the powers of the Jalandar Jahagir Regulation

(2) A pocket book with clasp lock & key PNS — bound in black morocco.

(3) do & in PNS — red leather

(4) a typed copy (on foreign) of the PN Ks letter of — Mar 11. to M M Narasimha about his pension

NOTE—Contn. sheet.

GPE—65,000—17-C-12.

17

R. S. 12]

General and Revenue Secretariat.

File No. of 191

Serial No.

Sahibzada in his presence & all. Besides ~~the deeds~~ Sanads & deeds relating to his Jahgir & his properties belonging to his family there were no other papers in the ~~desk~~ ~~receptacle~~ receptacle of the desk which could be of any use ~~to~~ in the settlement of his dispute pending before Govt. The papers were therefore put back in their place & the desk locked and the keys ~~delivered back~~ handed over by him in respect in ~~respect~~ person who had produced them.

WR
12/12/13

Submitted for further orders.

WR
12/4

Dewan

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

21st April 1913.

Present-

Mr. Narasinga Rao Purnayya
Mr. Srinivasamurti Purnayya
Mr. M. Narasinga Rao on behalf
of Lady Krishnamurti

The parties present were asked by the Dewan if they had any further representations to make or any more papers to be placed before Govt besides those that were taken by the Secretary from Purnaprasada in their presence on the 12th Instant.

Mr. Narasinga Rao Purnayya said that he had no more papers to place before Govt.

Mr. Srinivasamurti Purnayya

~~urged~~ stated that his memorial contained all his representations. His request ~~was~~ was that his annuity should be fixed at a figure which would enable him to maintain the prestige and dignity of his position - due regard being had to the ~~increase~~ rise of prices and the increase in the income of the Jaghir.

Mr. Narasinga Rao Purnayya was not prepared to pay his brother more than half the annuity of his father to which alone he was entitled under law Regulation

intention to expend it on some charity, though the last order does not say anything about it.

Questioned as to whether the parties were willing to have their disputes between them settled by arbitration, Mr. Narasinga Rao Purnayya said that he had no objection if the arbitrators would give effect to the wishes of Sir P. N. Krishnamurti in toto. He was informed that it was not possible to place any such restriction on the

powers of the Arbitrators

The three gentlemen present were then asked to each name ~~Some~~ three persons whom they would like to be appointed as Arbitrator. The names proposed by them were considered and it was ultimately agreed to by all of them that the following gentlemen might be appointed as Arbitrators:

(1) Mr. P. S. Krishna Rao - Chief Judge
(2) Mr. C. Srinivasaiengar, retired Councillor
(3) Mr. R. Ramachandra Rao, Collector of Nellore.

In case one or more of the above gentlemen were not available, the names of messrs: D. Appa Rao and M.S. Narayana Rao were accepted for nomination in their places.

The terms of arbitration will be that the Arbitrators should send up their report to Govt whose Orders thereon ~~should~~ will be final and binding on all the parties

The parties were given a week's time to send to

It was resolved that a copy of the draft rules framed by the 1st Councillor for the payment of annuities by the Jaghirdar may be sent to all the annuitants for their opinion

EB

R. S. 12]

27

General and Revenue Secretariat. | File No. of 191

Serial No.	
22	From Mr. Srinivasamurti Purnayya Letter dt 26-4-1913. Encloses a letter received frm Mr. R. Ramachandra Rao, Collector of Nellore, and requests that he may be given time till about the 15th May to submit his reply.
23	From Mr. Narasimha Rao Purnayya Letter no. 44 dt 28-4-1913. As directed by the Council, states his views about the subjects to be dealt with by the Arbitrators as also the terms of reference to the latter which still remain to be settled.

The above Communications from Mr. Srinivasa Rao Purnayya & Narasimha Rao Purnayya are submitted for perusal

1 Councillor

1/5/13

Seen. Further Comm^ns may be awaited.

1/5/13

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

C. 340/10.6.13

28

[G. R. S. 12]

General and Revenue Secretariat.

File No. of 191

Serial No. 24

From, Lady Kaveri Bai Krishnamurti
Dated 5th May 1913.

Submits a list of gentlemen any three of whom may constitute a Board of Arbitration for deciding matters in dispute between the parties and gives reasons why the annuity of Rs 10,000 sanctioned by Govt in G.O dated 12-8-12 should not be reduced

Submitted for perusal

1st Comm.

Seen.

7/5/13

NOTE.—Contn. sheet.

GPB—65,000—17-6-12.

The Annuity.

The objects of the Yellandur jaghir regulation 1885 are obviously

(a) adequate provision for the maintenance of the head of the family

(b) support of the subordinate members so that they may live in perpetual ease and comfort.

(c) Prevention of litigation between the members by ousting the jurisdiction of civil courts and empowering Government to pass orders and frame rules.

2. The drafting however is unfortunate

i) Sir P.N. Krishnamurti was given an annuity of 6000 Rs by name. As he has no sons, this descends to strangers of the family.

ii) If Sir P.N. Krishnamurti had four sons and Mr. P.N. Purna, only one, it would follow each of the junior sons of Sir P.N.K though they be the direct brothers of the jagirdar would get Rs 2000 while a cousin would get Rs 10,000

Several such anamolies arise. The existence of such is a good reason for recasting at an early date the Regulation so as to bring it into conformity with the avowed objects.

3. But, for the present, Srinivasamurti's annuity should be decided by the Regulation as it stands. The reason which I refer to the anamolies above is to plead that, if two interpretations of the Regulation were possible, that view should be adopted which is more in accordance with the Preamble of the Regulation.

4. The annuities are really minor estates. The frame of the regulation is clear that one who holds the major estate cannot hold a minor estate by devolution. It is

true that Sir P N Krishnamurti though declared to be a jaghirdar is given an annuity; but this is a special grant especially created by law No minor estate can by devolution vest in the jagirdar. This is clear from the language of § 4. a clear distinction is made between the jagirdar and heirs of branches. Otherwise in the contingency mentioned in the section the jagirdar can claim half as jagirdar and something more as heir which double inheritance is clearly not intended

Further under § 3 only the remainder of the revenue is at the disposal of the jagirdar as such. He has no right to the annuities. The annuities are, I beg to repeat, legally minor estates Now that Mr. N Punnaiya's elder son himself is jagirdar, he becomes disqualified to hold a minor estate within the jagir in the absence of a clear provision of law to the contrary. Punnaiya's estate descends to his heirs barring the jagirdar. So Srinivasamurti is entitled to Rs 10,000. No assigns now succeeds to the jaghir and his interest is exhausted thereby

5. I trust I have shewn that under the letter of the regulation as it is drafted and in accordance with the ordinary principles of interpretation of statutes, Srinivasamurti is entitled to Rs 10,000. Such a decision is also in accordance with equity and the avowed intentions of the regulation itself. But for the regulation Srinivasamurti would have been entitled to half the jagir.

Barring the pagidar he is the most prominent member thereof. Strangers to the family get Rs 6000 and it is very anamolous he should be given anything less. The Government has on previous occasions relieved and passed orders regarding the allowances. Under present similar circumstances where Branch I consisted of two members, the jagidar & a brother, the latter was adjudged worthy to get Rs 10,000. The Regulation is restrictive and opposed to Hindu Law and should be interpreted so as to be least unfavourable to the persons whose rights are reduced

II Ronjagir property

The two brothers Narasinga Row & Srinivasamurti have already entered into an agreement — registered — providing for arbitration to settle their differences and divide their property. The only question now is between Lady Krishnamurti on the one side and the brothers jointly on the other side representing the late Punnaiya. So far as Srinivasamurti is concerned his interests are identical with Narasinga Row's. It is however suggested that the parties be requested to state the issues & such of the issues as are clear be disposed of summarily and the rest be referred to commissioners for report to Government

18 May 1913.

GPB—1,000—19-7-13

Extract from the Proceedings of the 301st Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 30th July 1913.

4. Subject.-(Clause of the Schedule).

Yelandur Jaghir Cases.

Opinion of the Council.

The annuity question may be decided after an attempt is made to bring about a settlement between the parties on the other points in dispute between them.

2. Both parties (that is, Lady Krishna Murti on the one side and Messrs. Narasinga Rao Purnaiya and Srinivasa Murti Purnaiya on the other) have expressed a desire to have their disputes settled by arbitration. They have, however, not furnished a definite list of questions for settlement between them. They may now be invited to appear once more before the Council and furnish a list of matters they want settled. The points in dispute may also be informally discussed with them by the Council. The parties may then be required to deliver in writing, within eight days, a full and complete list of points which they wish to be referred

for arbitration, as also a list of persons whom they would like to be appointed arbitrators. If within eight days or such further period as may be allowed to them, they fail to furnish the lists, they may be left to themselves and orders passed by Government on the question of annuity. If the parties furnish the required information within the prescribed period, two arbitrators may be appointed by Government out of the persons agreed to by both parties and they may be asked to submit their recommendations for the orders of Government within a month from the date of the appointment, an agreement being taken from the parties to abide by the decision of Government on the verdict of the arbitrators.

Sd/- M. Visvesvaraya.

Dewan of Mysore.

" E x t r a c t "

Secretary to Government.

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Orders are solicited as to the date on which Lady Krishna Murti and Messrs. Narasinga Rao Purnaiya and Srinivasa Murti Purnaiya should be asked to appear before the Council in connection with the Jaghir annuity case pending before Government.

A Muzrai case relating to the Sivasamudram Jahgirdar has been posted for hearing before the Council on Wednesday the 20th instant. This case will also be posted to the same date, if approved. This will give sufficient time for the issue of notice to the parties, one of whom Mr. Srinivasa Murti Purnaiya is in Madras.

Dewan

5/8/13

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—20,000—14-7-13

General and Revenue Secretariat.

File No. of 191

Serial No.

Mr. M. Narasinga Rao being asked what he can-
tain was said that the case was that Srimati
& Srimati were divided & that daughter
had all the properties belonging to Sri P.N.K. He added
that the farming properties consisted of lands, Bungalow
& Savings in the Banks (Sri P.N.K & Srimati P. having Each
a separate Bank account)

5. The 1st Commissioner observed that the
arbitrators were agreed on ~~the~~ an
inventory & the farming papers may be made
& the arbitrators may decide if the brothers
(Sri P.N.K & P.N.I) were divided or undivided
~~in fact~~ and in Either case what properties
should go to Lady K. He suggested the
following scheme as a rough & ready one & the
disputes

(1) All moveable properties purchased & be
given to Lady K in full regd as well
as the Bank balances in Sri P.N.K's name

(2) Lady K to have no claims on any
other properties

(3) The permanent question to be kept as a
~~Bond~~ decided by this Court.

Neither party expressed any definite opinion
about the above suggestion

6 The Darwan Engineer of why the papers
now locked up by & in the Court Custody of

NOTE—Contn. sheet.

Serial No.

his writing to Consulting Dr Bommasa Punnaya in the matter, as Dr N.P said that as his brother was dead his writing to be would thereupon write to the first to address him direct & ascertain his views about the proposed ~~Arbitration~~ arbitrators.

20/8/13

27 from, Mr Narasinga Rao Punnaya
Dated 23. 8. 1913.

States that he requested Mr. A. Ramachandra Ayar to serve as an arbitrator, and that the latter after explaining his inability to do it immediately, promised to write or speak to the Dewan about it and settle the question.

Forwards also Copy of a letter addressed by him to Mr Srinivasa Murti Punnaya requesting him to agree to the proposed composition of the Committee of Arbitrators consisting of Messrs C. Srinivasiengar, A. Ramachandra Ayar & M Shama Rao.

Seen by the Dewan.
26/8/13.

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

9 · ND 61.

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

4836
23-8-13

Letter from Mr Narain urging that
immediate reporting be resumed when
interviews ~~with~~ with Dewan Bahadur
Mr A Narain Chandra about the arbitration
affair is submitted for perusal

Dewan

23/8

Seen by Dewan

26/8/13

23/8

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPE—25,000—11-11-11

R. S. 12]

General and Rev...
Secretariat.

File No. of 191

Serial No.

28 from Mr. Narasinga Rao Gurnaiya,
D.O. dated 25.8.13.

Submits for the information of Government, copy of his letter to Lady Krishna Muni offering to pay her Rs 8,000 in two or three instalmen without prejudice to the final decisio of Govt in the matter of annuity ques tion pending before Govt.

Seen by the Dewan.
26/8/13

Secretary's order.

C. Section. Put up with the papers.
27.8.13.

29 To. Mr. Srinivasa Muni Gurnaiya,
30/c. Venkata Vilas, Mowbray's road,
Mylapore, Madras.
D.O. No 57 & 1.9.13.

Informs him that it is proposed to appoint Messrs C. Srinivasiengar, A. Ram chandra Ayar & M. Shama Rao as arbitrat for the settlement of disputes between hi & his brother on the one hand & Lady Krish na Muni on the other and ~~as~~ enquires whether he is agreeable to the propos

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

R. S. 121

General and Revenue Secretariat. | File No. | of 191

Serial No.

10th Sept 1913

Placed before Council at his meeting this date. Ordered to be brought up after about 10 or 15 days by which time the Council to report time able to bring about an understanding between Raja Venkatagiri & Mr Narasinga Rao Purnaiya.

12
10/9

Brought up at the meeting on the 1st December 1913, but not taken up for want of time.

30 To

1) Narasinga Rao Purnaiya Esqr., Krishnagiri

2) Srinivasamurti Purnaiya Esqr., Madras

D.O. No. 366-7 & 17.12.13.

Enquires if it would be convenient for him to meet the Dewan with his brother, at Bangalore, some day before the 25th instant in connection with the Velandur Jaghir annuity disputes.

31 From

Mr. Srinivasamurti Purnaiya.
letter & 21.12.13.

Says that he shall be glad

NOTE—Contn. sheet.

Serial No.

to wait on the Dewan as directed on the day and place to be intimated to ~~him~~ the address of collector of Nellore. by wire and that he has also written to his brother asking him when he goes over to Bangalore.

32 From Sr. Sreenivasamurthi Purnaiya Letter dt 24/12/13

States that as he has entered into a definite partition with his brother the dispute now is only between Lady Krishnamurthi on one side and his brother Mr Narasinga Rao Purnaiya and himself on the other and that in this he will abide by any decision arrived at by his brother

NOTE—Contn. sheet.

G.P.B.—60,000—7.11.13

H. A(1)

The Supreme Court of Canada has
[illegible] a [illegible] days [illegible]
so far as the Province has [illegible]
in the case of Provincial
Companies and Provincial Companies
Companies [illegible] in the Province
by the Parliament of the Province.

2 The Provincial Companies Act, [illegible]
as the Privy Council held in the Dominion Companies
Act, applies to Companies in the following
cases

(1) A Company [illegible] formed.
— if [illegible] Company has
[illegible] by the Province

(2) The Privy Council [illegible] in
about the Province formed Companies
if the [illegible] found in the
Province Act Provisions available

(3) The claims of ~~the parties~~ Each party to be ascertained

(4) The arbitrators to decide. These claims their decision being based as far as possible ——— on Hindu Laws usages, the facts recorded by the Court regarding the status of the parties & their usage & the P.N.A usages the respective & the principles

3 I sent for & questioned Mr Varadaya Nw. (Lady ki nephew) about Lady ki wishes in the matter. After going of the Lady & our consulting her Mr Varadaya Row came & me again his afternoon, & informed me that Lady K was agreeable if the case being decided by arbitration, on the terms suggested by Mr N.P.. (when Mr Narasimmaraja also was present)

As regards the house constructions

It was remarkable how little the two sides agreements drawn up. I shall attend to this as soon as I return after the Christmas holidays.

25/12/13

G. R. S. 12]

General and Revenue Secretariat. | File No. | of 191

Serial No.	
33	From Mr. Narasinga Rao Punnaiya, dt 25. 12. 13 Recd 3. 1. 14 In the matter of the personnel of the Arbitrators, states that if Messrs Shama Rao & Krishnaiyar agree, they may be on the arbitration; and as regards the 3d arbitrator, One of the following, in the order named ~~be~~ may be chosen — (1) Mr. C. Srinivasaiyar (2) Dr. P.S. Achyuta Rao (3) Mr. P. Raghavendra Rao
34	To Mr. S. Narayana Rao, ~~Ga~~ Advocate. 3/1/14. Desires to know when & where he can be seen on some business
35	From The same ~~of~~ gentleman. 3/1/14. States that he is available between 9 & 10 A.M. on the 4th "I met Mr. Narayan Rao at 9 A.M. on the 4th instant & explained the case to him and asked him for a draft of the deed of reference to Arbitration. He promised to let me have it in a day or two. Into K.R.S. 4. 1. 14.
36	From Mr. S. Narayana Rao, 4/1/14. Forwards 3 copies of the draft deed of submission to Arbitration.

NOTE—Contn. sheet.

GPB—60,000—7-11-13

Note

Of the three copies of the draft deed of release to arbitration received from the Transmarine, one was handed over personally to the Manuscripts Department of the Museum. The original and duplicate of the draft deed are sent to the Transmarine Department with a request for their opinion.

7/1/14

G. R. S. 12]

General and Revenue Secretariat. | File No. | of 191

Serial No.	
37	To. Mr. Narasinja Rao, Pennaiya. D.O. 386 d 7. 1. 14. Forwards for perusal and remarks the draft deed of reference to arbitrators prepared by Mr. S. Narayana Rao: & states that a copy has also been handed over to Mr. M. Narasinja Rao for the opinion and remarks of Lady Krishna Murti.
38	From The same Officer. D.O. d 16/1/14 Submits his opinion and remarks on the draft deed forwarded to him. An alternative draft deed was received from Mr. Narasinja Rao on behalf of Lady Krishna Murti, ~~and~~ on 23. 1. 14 and is placed in the file.
39	To Mr. Narasimga Rao Pennainga, D.O. No. 396 dy 26. 1. 1914. Acknowledges the receipt of his letter of the 16th Instt containing his views on the draft arbitration deed which was sent for his opinion and requests him to come over here (Bangalore) for a day or send his agent on his behalf for a

NOTE—Contn. sheet.

GPB—60,000—7-11-13

45

G. R. S. 12]

General and Revenue Secretariat. | File No. | of 191

Serial No.

personal discussion of the terms of the deed, with the Secretary.

40 From Mr. Narasinga Rao Purnaiya,
dt. d 2. 2. 1914.
States that he has asked his Sheristedar M.S. Ramadasappa to appear on his behalf and act under his instructions to represent his views in the matter of drafting the deed.

(Below)

Please write to Ramadasappa asking him to kindly come and see me in this connection the day after tomorrow

WB
3/2

NOTE—Contn. sheet.

GPB—60,000—7-11-13

[G. R. S. 12]

General and Revenue Secretariat. | File No. | of 191

Serial No.

Mr.Ramadasappa called on me to-day in the office. I had a preliminary talk with him as well as with Mr.M.Narasinga Rao (on behalf of Lady Krishna Murti), in the matter of the drafting of the deed of Arbitration.

Another meeting with the said gentlemen has been arranged for at 12 O'clock on Friday next, at which they have promised to become better prepared for discussion of the terms of the Deed.

3/2

S PR—60,000—7-11-13

Mr Ramadoss says that
he is not in favour of ~~[illegible]~~
the Government relaxing its rules
regarding the balance in the name
of the Banks. They say as per
the arbitration. He is not for
relaxing the Government which ~~[illegible]~~
is in the red & in the name
not in the deed of arbitration
this must be taken back to the Select
Committee on Savings Bank matters.

Mr Narasinga Rao objects.
He says the above proposals.

Mr T. Narayanaswamy wants the
term 'Separate' to remain where as Mr
Ramadoss wants to change it to
'personal' word 'personal'

M. Ramadasappa also says that
a Shanbogue be present at the deed of
arbitration but the arbitrator Shanbogue
~~for the~~ recognizes as before such
the statements of such about the fact
that Shanbogue for the
Sarpanch he declared of previous record
by Shanbogue. & that by Shanbogue also
from the reference & the interview
of Shanbogue as far as possible

M. Narasingarao is
not of the fact of placing any re
liance as above suggested in the power
of arbitrator & decide the case
as being fair & reasonable

M. Narasing Rao
6/2

W
6/2/14

Received answer
6.2.14.

General and Revenue Secretariat.

File No. of 191

Serial No.

In accordance with my last note of 28th Dec last (which I submitted to his Devan just before leaving for Bombay during his Christmas holidays I saw the retired pleader advocate Mr Narayanaswami on my return from Bombay and obtained from him copy of a deed of reference to arbitration which I signed and which I sent with Mr Narasinga Rao Pantulu and Mr Narasinga Rao (on behalf of Lady Ina) for their remarks. As they did not agree ..... of terms proposed in the draft and suggested certain alterations, I wrote to Mr Narasinga Rao pointing out arranging for a personal discussion of the points in dispute with me or his representative and K; or if he cannot come and himself to depute an authorised agent of his to discuss his points with me. He accordingly deputed Mr his Devandasappa (his pleader Shri Kadam) to discuss his case with me on his behalf.

In Both Mr Devandasappa & Mr Narasinga Rao met me & appeared on his 3rd ult; and after some

NOTE.—Contn. sheet.

GPE—65,000—17-C-12.

G. R. S. 12.

General and Revenue Secretariat.

File No. of 191

Serial No.

pages 47 & 48 the note

In our note attached, but there are many ones.

It will be thus seen how are some most important & material points. The parties will not come to an agreement unless they come to an agreement & it is impossible to arrange for an arbitration

It is a matter for ~~[illegible]~~ regret that all attempts ~~[illegible]~~ to bring about a friendly settlement of the dispute has not met with success, owing to the obstinate & perverse attitude taken by one or other of the parties.

Dewan 6/2/17

7508 6.2.14

PE—65,000—17-C-12.

Serial No.

Since the above note was submitted, the Dewan met and had a talk with the parties (viz C.S. Doraiswami Iyer + T. Narasayya Garu on behalf of Rao K. Venkatarama Rao + Mr N.S. Ramadasappa on behalf of Mr Narasayya Garu) on the 5th March. Some of the points in dispute were discussed.

Both parties were asked to prepare their own drafts of the arbitration deed. On receipt of their drafts they were again discussed with both parties on the 26th March. As there was again difference of opinion between them on some material points, the matter was represented by the Dewan who had a talk with them (viz Mr T. Narasayya Garu on behalf of Rao K. Venkatarama Rao + Mr N.S. Ramadasappa on behalf of Mr N. Narasayya) on 29th & both the parties agreed to certain terms suggested by the Dewan. It was arranged that a final draft of the deed of arbitration be drawn up for the signatures of the principals (Rao K. Venkatarama Rao + Mr N.S. Ramadasappa) + that steps be taken to get the deed executed in a week's time.

But when the parties were in the form of the final deed came to be discussed, there was again difference of

NOTE—Contn. sheet.

GPE—65,000—17-6-12.

General and Revenue Secretariat. | File No. | of 191

Serial No.

Mr Finnegan & Mr Mann discussed this question on 2 or 3 days.

The further action which he will take will depend on his reply which may be received from Mr R. If he accedes to his demand & agrees to the terms proposed by Mr R, further steps for arbitration will have to be taken & this will be matter with regard to which Mr R will be asked as Mr R refers in his letter to an ultimatum & the Govt will not wish to be involved any more in this question.

It will then be necessary for him first to deal with his appt & then Mr R's letter & to consider the question of the amount payable to Mr R

8974
16.4.'14

Dewan

16/4/14

NOTE—Contn. sheet.

GPB—60,000—7-11-13

G[R. S. 12]

55

General and Revenue Secretariat. | File No. | of 191

Serial No.

Brought up at the meeting of the Council on the 24th June 1914, but not taken up.

Brought up again at the meeting on the 1st July 1914 but not taken up for want of time.

Brought up again at the meeting on the 8th July and was adjourned to the 15th July 1914.

The case was taken up finally on 12/8/14 & closed in Council

Dwan
13/8

The file is submitted with the opinion of the members of Council & the Note of the First Member in a sealed cover.

827
13.8.14

Dwan)

Dewan Raghava Rao
13/8.

(For further notes & demi-offl. correspondence vide Confl. No. 134/Roll II in the Council Section.)

~~Also put up herewith 20.11.15.~~

(Vide G.O. No. 1366-8 dated 5.10.15 ~~on the~~ file)

Re Lady Kamam Bai Krishnamurthy
Mr Narasinga Rao Punniya
Jahgirdar of Yelandur and
Mr Srikrishnamurthy Punniya
In modification of the previous

NOTE—Contn. sheet.

GPB—60,000—7-11-13

G. R. S. 12]

General and Revenue Secretariat. | File No. | of 191

Serial No.

orders on the joint fixes the annuity payable to Lt. Krishnamurthy at Rs 6000 a year, with an additional sum of Rs 4000 a year only during her life-time; an annuity of Rs 5000 to each of Mr Varadaraja Rao Punniya and Srinivasamurthy Punniya sons of the late Mr P. N. Punniya. The above distribution to have effect from the date of the death of Sir P. S. Krishnamurthy.

NOTE—Contn. sheet.

GPB—20,000—30-6-15

No. 2

DIARY No. 7467

13-10

SECTION

Tumkur,
14th August 1912.

To

The Secretary to the Government
of His Highness the Maharaja of Mysore,
General and Revenue Departments, Bangalore.

Sir,

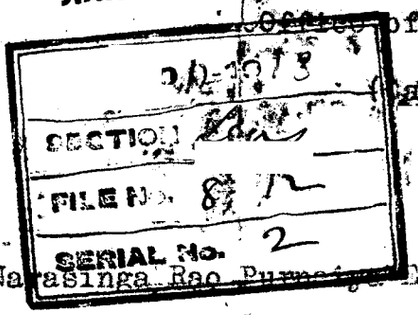
I have the honor to acknowledge receipt with thanks of Government Proceedings No. J.464-7 Legis24-11-16 dated 12th August 1912 declaring me as the Jaghirdar of Yelandur in succession to the late Sir.P.N.Krishna Murti,K.C.I.E.,I beg to point out that para 6 of the Government Order has not arisen out of my application of 14th December 1911 nor out of the proceedings of the inquiry held subsequent thereto,and that it has been pounced upon me as a surprise . The contents of para 6 relative to the distribution of annuities are in contravention of the provisions of the Regulation itself wherein it is stated that all rules and orders under sections 3 and 5 of the said Regulation are to be strictly in consonance thereto,and I shall have therefore to submit in detail my representations in the matter for the consideration of Government,which representations will be made shortly,

I have the honor to be,
Sir,
Your most obedient servant,

Jaghirdar of Yelandur.

No.J.//
Sn 2

DIARY No.....



Office of the Jaghirdar of Yelandur
(Camp) T u m k u r ,
Dated 16th August 1912.

From

Narasinga Rao Purnaiya Esquire,
Jaghirdar of Yelandur.

To

The Secretary to Government
of His Highness the Maharaja of Mysore,
General and Revenue Departments,
B A N G A L O R E .

Sir,

I enclosing herein copies of Mr.Srinivasa Murti Purnaiya's application dated 13th August 1912 relative to his annuity as the second son of the late Mr.P.N.Purnaiy the second in the first Branch mentioned in Section 3 of the Yelandur Jaghir Regulation I of 1885, and my reply the -to for the information of Government, I have the honour state that the said Mr.P.N.Purnaiya having died on the 10th Augu 1911, his annuities mentioned in the Regulation became pay able to his sons Mr. Narasinga Rao Purnaiya (myself) and Mr. Srinivasa Murti Purnaiya from that date, and that the further representation referred to in my reply ~~to in my re-~~ ~~ply~~ to Mr. Sri..... ...rti Purnaiya will be made shortly.

I have the honour to be,
Sir,
Your most obedient servant ,
Narasinga Rao Purnaiya
Jaghirdar of Yelandur.

(Copy)

"Purnaprasada" Race Course Road

Bangalore 13th August 1912.

To

The Jaghirdar of Yelandur

Sir,

Government in their notification No.J 468/Legis: 24-11-16 dated the 12th August 1912 declared you the Jaghirdar of Yelandur, I beg to submit this application to you for the settlement of my claims to the annuity to which I am entitled as a son of the late Mr.P.N.Purnaiya and a member of the first branch specified in Schedule B of the Yelandur Jaghir Regulation.

I pray for an early decision in the matter as otherwise I shall not be able to devote my attention exclusively and without destraction to my collegiate course.

I beg to remain,

Sir,

Your obedient servant,

(-1) Srinivasamurti Purnaiya.

"Copy"

Narasimha Rambhumaya

Jaghirdar of Yelandur

Office of the Jaghirdar of Yelandur.
(Camp) T u m k u r ,
D d 15th August 1912.

No.J.9.

From

Narasinga Rao Purnaiya Esquire,
Jaghirdar of Yelandur.

To

Srinivasa Murti Purnaiya Esquire,
Purnaprasada",
Race Course Road,
B A N G A L O R E.

With reference to Mr.Srinivasa Murti Purnaiya's application dated 13th instant, in the matter of his claim to the annuity due from the Jaghir revenues, a copy of Government Proceedings No.J 464-7 dated the 12th instant is herewith forwarded for his information, wherefrom it will be seen that the Government have rearranged the annuities payable under Section 3 of the Yelandur Jaghir Regulation I of 1885 as far as they relate to Branch 1 of the Dewan Purnaiya's family and have not made any reference to his claims as the son of the late Mr.P.N.Purnaiya and member of the aforesaid first branch. The matter therefore requires to be further represented to Government for their orders, which will be done soon. Until the decision of Government is known, it will not be possible to define his claims to the annuity that he is entitled to.

"Copy"
Narasinga Rao Purnaiya
Jaghirdar of Yelandur

(sd) Narasinga Rao Purnaiya.
Jaghirdar of Yelandur.

DIARY No. 1835

FILE No. J. 83. 8-14
SERIAL No. 31

III
2/9 760

(Copy)

Office of the Jahgirdar of Yelandur
Dated Bangalore 30th August 1912.

From

Narasinga Rao Purnaiya, Esq., B.A.,
Jahgirdar of Yelandur.

To

K.R. Srinivasaiengar, Esq., M.A.,
Offg. Secretary to the Government of H.H.
the Maharaja of Mysore, General and Revenue Depts.
Bangalore.

Sir,

In continuation of my letter No.2 dated 13/14th August 1912 addressed to you, I beg to submit the following detailed representations in respect of the terms and provisions contained in para 6 of the Proceedings of Government No. J.464-7/Legis.24-11-15 dated 12th August 1912.

1. The order of Government above referred to clearly sets forth the scope of the inquiry before Government, viz., the succession to the Jahgir of Yelandur under the Yelandur Jahagir Regulation. No other question was inquired into. Mr. Y.V. Krishna-Murti's application for increase of annuity payable to him under Section 3 of the Yelandur Jaghir Regulation was expressly held ~~out~~ not to call for consideration. Thus the question for decision by Government was limited to determining the successor to the Jahgir after the demise of Sir P.N. Krishna Murti and I was afforded neither occasion nor opportunity for placing before the Government facts relative to the devolution of annuities, in accordance with the Yelandur Jahgir Regulation.

2. Under Section 3 sub-section 2 of the Yelandur Jahgir Regulation, the annuities payable under the first para of that section are declared to be inalienable by sale, gift, charge, will or otherwise but are subject to the Rules and usages of the Hindu

Law of Succession and Partition. Sir P.N. Krishna Murti and Mr. P. N. Purnaiva formed along with myself and my brother Mr. Srinivasmurti Purnaiya an undivided Hindu family governed by the Mitakshara School of Hindu Law. It was while the family was so joint and undivided both Mr. P.N. Purnaiya and Sir P.N. Krishna Murti died in August and December 1911 respectively and according to law, I and my brother Mr. Srinivasamurti Purnaiya and my son Nagaraja Rao Purnaiya have become by right of survivorship entitled to the whole of the family property and to the annuities payable to the members of the family.

3. Lady Kaveri Bai Krishna Murti being a widow of the late Sir P.N. Krishna Murti who lived and died as an undivided member of the family consisting of himself and the late Mr. P.N. Purnaiya and the latter's sons and grandson, is not the legal heir of the late Sir P.N. Krishna Murti. Her description in para 6 as such legal heir is contrary to Hindu Law and is conducive to a creation and augmentation of family disputes and vexatious claims and liti-gations.

4. The Yelandur Jaghir Regulation itself provides that Sir then Mr.) P.N. Krishna Murti should get an annuity of Rs. 6,000/- This provision having been made in the body of the Regulation and no power having been reserved under the Regulation to the Government for altering it , the present order of Government increasing the annuity from Rs. 6,000 to Rs. 10,000 is clearly contrary to the Regulation.

5. The said Regulation having provided an annuity of Rs. 10,000 as payable to Mr. P.N. Purnaiya that annuity becomes payable in fact to the surviving co-parceners of the family that is to myself, my brother and my son.

6. It will be noticed from Section 3 sub-section I of the Yelandur Jaghir Regulation that an annuity of Rs. 6,000 was payable to Sir P.N. Krishna Murti not as Jagirdar but as a member of the first Branch of Dewan Purnaiya's descendants. Therefore it ~~can-~~

cannot even be inferred from the said Regulation that the Jagirdar for the time being should get an annuity of only Rs. 6,000 The Jagirdar as Jagirdary is not entitled under the Regulation to any annuity other than a moiety or any lapsed annuity as provided in Section 4. The annuities provided in the said Regulation are annuities payable to different persons in virtue of their being the descendants of Dewan Purnaiya . Consequently the direction contained in para 6 of the above said Government Proeeedings regarding the payment of Rs. IO,000 to Lady Krishna Murti and Rs. 6,000 as annuity to me militated against the express provisions of the said Regulation.

7. Section 5 sub-section 3 of the said Regulation provides for any claim to any annuity payable under the Regulation being preferred to the Jagirdar of Yelandur for the time being in the first instance from whose decision an appeal is allowed to the Government. In the present case the question pf Lady Krishna Murti's right to any annuity has not been placed before the Jagirdar nor has the Jagirdar passed his decision thereon. The Government therefore has under the Regulation no power to decide such question directly in the first instance and without the claimant having preferred her claim to the Jagirdar and without his decision thereon. Para 6 of the aforesaid Government Proceedings is thus contrary to Section 5 sub-section 3 and is further subversive of the wholesome provision made in section 2 sub-section 3 wherein it is declared that all the members of the family of Dewan Purnaiya shall be subordinate to the Jagirdar of Yelandur for the time being.

8. Para 6 of the aforesaid Proceedings purports to make a " consequential arrangement " upon my being declared Jagirdar. I respectfully submit that the Yalandur Jagir Regulation no where provides for any rearrangement of annuities upon the demise of any Jagirdar. The succession to the Jagir is governed by Section 2 sub-section 4 and annuities and succession thereto are dealt with in Sections 3 and 4 of the Yelandur Jagir Regulation. The

The mode of preferring claims to annuities and obtaining a decision thereon is laid down in Section 5 sub-sectin 3. Section 8 authorizes Government to frame Rules only for the purpose of appointing the time, place and mode of payment af annuities and orders passed under Section 5. The same Section declares that such Rules shall not be inconsistent with the Regulation and shall be published in the Official Gazette. The rearrangement of the annuities ordered now is not a matter falling within the perview of Section 8. Besides it is directly opposed to and inconsistent with the Yelandur Jagir Regulation.

For the foregoing reasons I respectfully beg that para 6 of the above said Proceedings may be cancelled and withdrawn as being opposed to the Yelandur Jagir Regulation. I wish to point out in this connection that Mathusree Kamala Bai , widow of my grand-father, Jagirdar Narasinga Rao, was not given any annuity after the death of her husband. She is still alive and is being suitably maintained out of the general funds of the family. This was and is because the widow of a co-parcener in a Joint Hindu Family is not the legal heir of her husband but is a person who is entitled only to adequate maintenance.

I have the honor to be,

Sir,

Your most obedient servant,

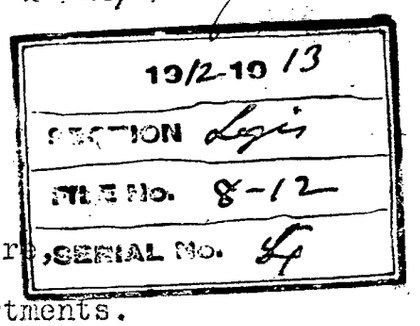
Narasinga Rao Jagirdar

Jagirdar.

Purnapraasada, Race Course Road.

Bangalore 31 Aug 1912.

DIARY No. 1651



To

The Secretary to the Government of
His Highness the MaharaJa of Mysore,
General and Revenue Departments.
Bangalore.

Sir,

I beg to enclose herewith a copy of the reply dated 15th August 1912 received by me from the Jaghirdar of Yelandur, with reference to the annuity payable to me as the second son of the late Mr. P.N.Purnaiya.

The addition of para 6 to Government proceedings No J 464-7/Legis 24-11-15 dated 12th August 1912, appointing mr Narasinga Rau Purnaiya as the Jaghirdar of Yelandur, has complicated matters by seriously infringing my rights to succeed to my father's annuity, on account of the consequential arrangement by the transfer of my father's annuity to Lady Kaveribai Krishnamurti.

As I am now the youngest male member of the first branch requiring further education, marriage and settlement in life, and as I have to maintain the prestige and tradition of my family, I pray that kind and sympathetic treatment may be accorded to me in allowing me to draw the full annuity of Rs10,000/- provided to my late father. I may add that at the time of making provision of Rs 10,000/- to my late father the consideration was that he was the younger brother of the Jaghirdar. This position has now fallen to my lot. I, therefore, urge that my claim might receive kind attention and thus relieve me from further anxieties for resuming my collegiate studies.

I beg to remain,

Sir,

Your obedient servant,

[signature]

Office of the Jaghirdar
of Yelandur,
(Camp) Tumkur.
D. 15th Aug. 1912.

No. J. 9.

From.

Narasingarao Purnaiya. Esqnire.
Jaghirdar of Yelandur.

To.

Srinivasa murti Purnaiya Esqnire.
"Purnaprasada". Race Course Road.
Bangalore.

With reference to Mr. Srinivasa murti Purnaiya's application dated 13th instant, in the matter of his claim to the annuity due from the Jaghir revenues, a copy of the Government Proceedings No. J 464-7 dated the 12th instant is herewith forwarded for his information wherefrom it will be seen that the Government have rearranged the annuities payable under Section 3 of the Yelandur Jaghir Regulation I of 1885 as far as they relate to Branch I of Dewan Purnaiya's family and have not made any reference to his claims as the son of the late Mr. P. N. Purnaiya and member of the aforesaid first Branch. The matter therefore requires to be further represented to Government for their orders which will be done soon. Until the decision of Government is known it will not be possible to define his claims to the annuity which he is entitled to.

Sd Narasinga Rao Purnaiya
Jaghirdar of Yelandur.

Secy
Please put
under Council file
28 Aug 12

7H. 357

No. 924 OFFICE OF THE PRIVATE SECRETARY TO

Rec'd 4.9.12

H. H. THE MAHARAJA OF MYSORE,

DIARY No. 7H

DATED, Bangalore, 29 8 1912.

1912-13
SECTION Legis
FILE No. 8212
SERIAL No. 6

Petition No.225 dated 27th August 1912, from Mr. Srinivasamurti Purnaiya the younger son of late Mr. P.N.Purnaiya, Bangalore, is forwarded, with compliments, to the Dewan of Mysore, Bangalore, with the intimation that this may be treated as a Council case and the file submitted for orders.

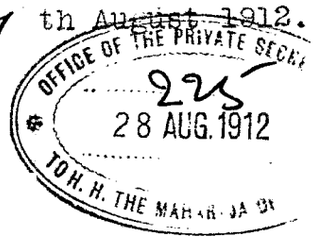
By Order,

I.C.S.,

Private Secretary.

Purnaprasada, Race Course Road.

Bangalore 27 th August 1912.



To

The Private Secretary to

His Highness the Maharaja of Mysore.,

B A N G A L O R E.

The humble petition of Srinivasamurti Purnaiya the younger son of late Mr P.N. Purnaiya respectfully showeth:-

1. That your petitioner is the younger brother of Mr Narasingarao Purnaiya the present jaghirdar of Yelandur.

2. That the late Sir P.N.Krishnamurti and his younger brother the late Mr P.N.Purnaiya and the two sons of the latter of whom your petitioner is one were members of an undivided Hindu family and lived together as such.On the death of the late Mr P.N.Purnaiya which occured on 10-8-1911,the late Sir P.N.Krishnamurti,your petitioner and his elder brother lived together as members of an undivided Hindu family till the death of the former on the 10th December 1911.There was no division of the properties between the brothers or others nor was there any division of status.

3. That on the death of the late Jaghirdar, Sir P.N.Krishnamurti,your petitioner's elder brother Mr Narasingarao Purnaiya succeeded to the family jaghir in accordance with the Yelandur Jaghir Regulation I of 1885. and the Government has declared him to be the Jaghirdar of Yelandur under the aforesaid Regulation as per Government notification no J 468Legis 24-11-16 dated the 12th August 1912.

4. That no annuity has yet been assigned to your petitioner under the said Regulation. Though your petitioner has preferrred a claim to his annuity to the Jaghirdar under section 5 clause 3 of the Regulation,the Jaghirdar has not yet passed his decision on the claim made by the petitioner but has asked the petitioner to wait till the decision of Government is known.Under these circumstances the petitioner begs to submit that an early settlement of his claim should be made as your petitioner has to prosecute his collegiate ~~course of~~ studies without interruption and as your petitioner has to live comfortably and consistently with his rank and position as the younger brother of the Jaghirdar of Yelandur and as a direct lineal male representative of the family of the Dewan Purnaiya.

5. That your petitioner respectfully urges that one of the principal objects of the Regulation was, as expressed in the preamble thereto,to make adequate provision for the maintenance of the dignity of the head of the family of the said Dewan Purnaiya and for the support of the subordinate members thereof.In accordance with that object section 3 of the Regulation declares that the Jaghirdar for the time being should get Rs 6,000/- a year and the younger brother of the jaghirdar should get Rs 10,000/- a year.The intention of the Regulation was undoubtedly that while the Jaghirdar for the time being would have in addition to his Rs6,000/- a considerable surplus income,his younger brother as the head of the second line of the first branch should have an annuity of Rs10,000/-to adequately support the dignity and position of his line and the male and female members of his line whom he is bound to support.That this was the intention will be apparent from the fact that the Jaghir is made by the Regulation impartible and the younger brother is therefore given a larger allowance than

the Jaghirdar in lieu of the share which he would be entitled to if the estate had remained partible as it was before the Regulation was passed.Your petitioner submits that the scheme of section 3 of the Regulation by which the late Mr P.N.Purnaiya was allowed Rs 10,000/-a year should be strictly adhered to and your petitioner most humbly prays that he should be alloted an annual allowance of Rs 10,000/- as the younger brother of the jaghirdar and as the head of the second line in the first Branch.Your petitioner further submits that,in any event and on any view of the matter,as the late Sir P.N.Krishnamurti and Mr P.N.Purnaiya were undivided brothers,on their death your petitioner and his elder brother became according to the Hindu Law of Succession and Partition applicable to joint families equally entitled to the annuity of Rs 16,000/ assigned to the First Branch out of the revenues of the ancestral jaghir and your petitioner therefore submits that he is legally entitled at least to Rs 8,000/- a year even if the scheme of section 3 of the Regulation can be departed from.But as the Government has been pleased to assign to the jaghirdar the annuity of 6,000/-which the late jaghirdar Sir P.N.Krishnamurti was entitled to,your petitioner prays that he may be granted the annuity of Rs10,000/- assigned by the Regulation to your petitioner;sfather the late Mr P.N.Purnaiya especially as it represents the balance of Rs 16,000/-the annuity assigned to the two undivided brothers after deducting therefrom the annuity of 6,000/- which has now been alloted by Government to the present jaghirdar.

Accivasanambhimasi.

Office of the Jaghirdar of Yelandur,

(camp) Tumkur,

Dated 15th August 12.

From

NarasingaRao Purnaiya Esquire,

Jaghirdar of Yelandur.

To

.nivasa Murti Purnaiya Esquire,

Purnaprasada.

Race Course Road, Bangalore

With reference to Mr Srinivasa Murti Purnaiya's application dated 13th instant,in the matter of his claim to the annuity due from the Jaghir revenues,a copy of Govt. Proceedings No J464-7 dated the 12th instant is herewith forwarded for his information,wherefrom it will be seen that Govt. have rearranged the annuities payable under Sec 3 of the Yelandur Jaghir Regulation I of 1885 as far as they relate to BranchI of the Dewan Purnaiya's family and have not made any reference to his claims as the son pf the late Mr P.N. Purnaiya and member of the aforesaid First Branch. The matter therefore requires to be further represented to Govt. for their orders which will be done soon. Until the decision of Govt. is known, it will not be possible to define his claims to the annuity that he is entitled to .

Sd. Narasinga Rau Purnaiya

Jaghirdar of Yelandur.

DIARY No. 11609 11 hTau

19/12/13

SECTION Legis

FILE No. 9-12

SERIAL No. 6

Ali Askar Road
Bangalore
26 December 1912

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments,
Bangalore

Dear Sir,

I trust you will kindly excuse me ~~in~~ for writing to you this letter giving cover to a formal memorial about an annuity to be made payable to ~~you~~ out of the revenues of the Yellandur Jaghir. After the death of my uncle Sir. P.N.Krishna-murthi my brother Narayana Rao was, after some months, declared Jaghirdar of Yelandur and the several annuities reserved for Branch I were distributed by Government. Though I was the Jaghirdar's only brother, the Government order made no reference to me. I was thereupon advised to submit a memorial to Government and adopted a certain form on advice. I am now informed and I also feel that that memorial is not properly worded. My well wishers desire me to submit a revised memorial. I do so for the consideration of Government But I am a young man and do not understand the intricacies of law. I do not know if the present memorial also even though it be drafted by x a reading lawyer will be unacceptable to Government. For my part I only wish to lay my entire case for the paternal and kind orders of Government as I am sure they will do justice to me, a member of a family so heavily indebted to the Mysore State and in whose concerns Government always has taken and takes a deep interest.

2. After the Government order above referred to was issued I was told I should apply for separate maintenance to my brother who is now recognised by Government to be the head of the family and Government expected him to make due provision for his only brother. I so applied. He declines to grant me any allowance. I am averse to litigate against my

my brother and I am sure that any such litigation in our family will be viewed with disfavour by Government. I can only throw myself on Government intervention to issue such orders as they think fit.

3. On the last occasion when the allowances were settled, the family memebers were exactly as the same now viz.; Branch I, consisted of the Jaghirdar and one brother. Then the Regulation allowed Rs.10,000 to the younger brother which will be roughly 1/5th I believe of the Jaghir demand. The Jaghirdar got Rs.6,000 and the residual income which would perhaps have amounted to about Rs.40,000. To-day we are again only one Jaghirdar and one brother. But the Jaghir demand has in the interval of 27 years nearly doubled and a sum of Rs.10,000 in 1885 really represents less than Rs.20,000 now. It is not for me to say in what style I am expected to be. I leave all to Government. But I am living separately. I have not completed my studies. I have married the daughter of Mr. R.Ramachandra Rao, Collector of Nellore and have to give her jewels and maintain her in a style consistent with my and her ~~xxxxxxx~~ families. I am very likely to be burdened with a family before I start life and I am not sure whether the success in life which my father had will in these hard days of competition be vouchsafed to me.

4. Regarding the separate property of my father, I am not aware how much it will amount to and I am afraid of what will remain after the debts are paid and after the claims of my aunt Lady Krishnamurthi and my four sisters are met. My brother claims half of what remains over the debts.

5. I beg Government to excuse any incorrect expressions in my memorials, to consider my case as a father would treat a son and to pass such orders as they think fit.

Yours faithfully
Krishnamurthi.

Upton, Ali Asker Road
Bangalore
26 December 1912

To

The Secretary to the Government of
His Highness, the Maharaja of Mysore,
General and Revenue Departments,
Bangalore

The humble petition of Sreenivasa Murthi Purnaiya, younger son of Purnaiya Narasinga Rao Purnaiya, Most Respectfully shewth:--

1. That your petitioner is the 2nd son of the late P.N.Purnaiya, younger brother of the late Sir P.N.Krishnamoorthi and that is also the brother of the present Jagirdar of Yelandur.

2. That on the death of Sir P.N.Krishnamoorthi, your petitioner's brother Narasinga Rao Purnaiya has been declared by the Government by its order No.J.468/Legis., dated 10th August 1912 to be the Jagirdar of Yelandur.

3. That on the death of the late Sir P.N.Krishnamoorthi the only memebers of the group consisting Branch No.1 under the Yelandur Jaghire, Regulation No.I of 1885 were and even to this day, are the present Jagheredar of Yelandur and his brother your petitioner herein.

4. That according to the provisions of the said Regulation the male memebers of the 1st branch should get Rs.16,000-0-0 as maintenance out of the revenues of the said Jaghir, the eldest memeber as Jaghirdar for the time being, being entitled to a sum of Rs.6,000 and the junior member being entitled to the remaining amount of Rs.10,000

5. That your petitioner begs leave to point out that during the life-time of P.N.Purnaiya, the father of this

petitioner

petitioner he was getting the allowance of Rs.10,000 and his brother Sir P.N.Krishnamoorthi was getting only an annuity of Rs.6,000 in addition to the residual income; that on the death of Sir P.N.Krishnamoorthi, your petitioners brother as stated above, succeeded to the Jaghire and to the annuity of Rs.6,000 and consequently even according to the provisions of Section 3 clause 2 of the Regulation [illegible] your petitioner would under the Hindu Law be entitled to succeed to the allowance which his father was getting and thus will be entitled to the whole of Rs.10,000 which your petitioner's father was getting under the said Regulation.

6. That your petitioner further begs to point out that the object of the Regulation as disclosed in the Preamble being the making of an adequate provision for the maintenance of the dignity of the Head of the family of Dewan Purnaiya and for the support of the subordinate members thereof, your petitioner is entitled to request Government that his claim as a subordinate memeber should be taken into consideration and a proper provision made for him.

7. In fixing the allowance payable to the memebers of the 1st Branch the Government allotted a sum of Rs.6,000 to the Jaghirdar, because he was absolutely entitled to the surplus balance and a sum of Rs.10,000 was awarded to the next senior member of the family in order that he may live on that sum consistent with the dignity of the family

8. That although as stated above, by succession to his father, the late P.N.Purnaiya according to the Hindu Law and also according to the tenor and spirit of the said Regulation I of 1885, your petitioner has now become entitled to the annuity of Rs.10,000, no allowance has yet been assigned to your petitioner by His Highnesse's Government.

9.

9. That on the 15th August 1912. your petitioner applied under Section 5 clause 3 of the said Regulation I of 1885 to the Jaghirdar to fix his annuity. The said Jaghirdar by his letter dated 15th August 1912 has intimated to ... petitioner that the Government has otherwise re-arranged the annuities payable to the 1st Branch and that unless that order is re-considered by the Government it will not be possible to define his claim to the annuities that he is entitled to. On enquiry your petitioner understands that the present Jaghirdar does not intend paying him anything if His Highnesse's Government is not pleased to make some order with regard to his annuity.

10. That thereupon, your petitioner on the 27th August 1912, approached His Highnesse's Government with a memorial to consider his petition favourably and sympathetically. That this was further supplemented by another petition from your petitioner on the 2nd September 1912 and that no orders have yet been passed on these memorials and petitions.

11. That your petitioner has to meet heavy expenses in connection with his studies and he has to provide for and adequately maintain his family with due dignity as the senior and only male memeber of Branch I of the late Dewan Purnaiya's family (besides the Jaghirdar

12. That your petitioner further begs to point out that at the time of the passing of the Regulation No.I of 1885, the annual income of the Estate was about Rs.50,000 or so and the allowance fixed to the petitioner's father as the senior member of the family of Dewan Purnaiya, next to the Jaghirdar himself, was about a fifth of the total revenue of the Estate.

13. That in this connection, your petitioner may be

permitted

permitted to state that living now-a-days has become expensive owing to a decrease in the purchasing value of the rupee and heavy increase in the price of food stuff and other articles and that at the same time, the income from the Jaghir has greatly increased.

14. That the intentions of your petitioner's father and uncle were to the effect that all the joint family properties should be taken by your petitioner exclusively in case your petitioner's brother succeeds to the Jaghir; that this intention is also not given effect to. That this is a fact may be verified by a reference to the petitioner's mother.

15. That under these circumstances your petitioner begs to submit that an annuity of at least Rs.20,000 is a fair allowance to be fixed for him having regard to his position in the family and in life and also having regard to the increased revenue of the Jaghir itself, and also to the circumstances mentioned in paragraphs 12, 13 and 14 above.

16. That as your petitioner had to prosecute his studies without any interruption, he had to live separately from the family and has in consequence been for sometime living in a separate house. He has no means at present by which he could provide himself with necessaries of life.

17. That under these circumstances, your petitioner most humbly begs that a speedy order may be passed fixing his annuity out of the Jaghir revenue and making the same payable regularly by the present Jaghirdar.

Srinivasa Ramakrishna

G.R. 26]

File No. Leg 8/12

Serial No. 6

Diary No. of letter replied to

No. 190

General and Revenue Secretariat

( )

, the *19*

To

Narasinga Rao Purnayya Esq

Sir,

In the matter of your application to Govt of 30th August 1912 requesting a reconsideration of para 6 of G.O. no. J. 467-7 Legis 24 of 1911-12 of 12-8-12 fixing the annuities payable to the members of the First Branch of Dewan Purnayya's family

Date of issue 4. 3. 1913

Signed by the Secretary

over.

SUBJECT.

I am directed to state that the Dewan and the Councillors will be glad to see you at 2 noon on ~~Saturday~~ Wednesday the 26th March at the Council Chamber in the Public Offices and hear any representation that you may wish to make in regard to your application

I am to state that lawyers will not be allowed to appear in connection with the case on the above-mentioned date. If, after hearing the parties on that date, Govt consider it necessary to have the case argued by Counsel, a separate ~~date~~ day will be fixed for the purpose.

I have etc

List of enclosures,

Copied by

Examined by

GPB—10,000—28-2-11.

G.R.S. 26]

Legis File No. 8-12

Serial No. 6

*Diary No. of letter replied to*_____

No. 191

General and Revenue Secretariat

( )

, the *19* ..

Date of issue 4. 3. 13

Signed by The Secretary

To

Srinivasa murti Purnayya Esq

Sir

In the matter of your application to Govt of 26-12-12 regarding the payment of the annuity claimed by you from the revenues of the Yelandur Jaghir I am directed to state that the Dewan and the Councillors will be glad to see

over.

SUBJECT.

you at 12 noon on
~~Saturday~~ Wednesday the 26th March
at the Council Chamber
in the Public Offices
and hear any repre-
sentation that you
may wish to make
in regard to your
application

I am to state that
lawyers will not
be allowed to appear
in connection with
the case on the above-
mentioned date if,
after hearing the
parties on that date,
Government consider
it necessary to have
the case argued by Counsel,
a separate day will
be fixed for the purpose

I have etc

Off. Secy

List of enclosures,

Copied by

Examined by

GPB—10,000—28-2-11.

G.R. No. 267

Legis File No. 8-12

Serial No. 10

Diary No. of letter replied to

No. 192

General and Revenue Secretariat

( )

, the *19* .

To

Lady Kaveriammai Krishnamurti

Madam,

Date of issue 4. 3. 13

Signed by The Secretary

In the matter of your application to Govt. regarding the payment, by the Jaghirdar of Yelandur, of the annuity sanctioned to you in G.O No. J. 464-7/Leg 4-11-15 of 12-8-1912, I am directed to state that the Dewan and

over.

SUBJECT.

the Councillors will be glad to see you ~~in person or by duly authorised agent~~ at 12 noon on ~~Saturday~~ Wednesday the 26th March at the Council Chamber in the Public Offices and hear any representation that you may wish to make in regard to your application.

I am to state that lawyers will not be allowed to appear in connection with the case on the above-mentioned date. If, after hearing the parties on that date, Govt consider it necessary to have the case argued by Counsel a separate date will be fixed for the purpose.

and that you may depute any one in whom you have full confidence to represent your views.

List of enclosures,

Copied by

Examined by

I have etc

Offg. Secy.

GPB—10,000—28-2-11.

DIARY No.....

1915-16
SECTION Legis
Purnaprasada
FILE No. 8-2
SERIAL No. 4

No B
Encl. C. note 5/- fivers
Rec'd
5/3/13

Bangalore- 5th March 1913.

From,

Narasingarao Purnaiya Esq. B. A.,

Jahagirdar of Yelandur, Bangalore.

To,

The Secretary to the Government of

His Highness the Maharaja of Mysore,

General and Revenue Departments,

Bangalore.

Sir,

With reference to your letter No. I86 dated 3/4th. March I913, intimating that the case relative to the Annuities payable to the members of the First Branch under Section 3 of the Yelandur Jaghir Regulation I of I885, would be heard before the Dewan and the Councillors on the 26th. instant, I have the honour to request that you will be so good as to ... favour me with copies of representations, if any, by Lady ... Krishna Murti and Mr. Sreenivasa Murti Purnaiya in the matter, towards the cost whereof I herswith send Rs. 5/- as advance.

I have the honour to be,

Sir,

Your most obedient servant.

Narasingarao Purnaiya

Jaghirdar of Yelandur.

Leg 8-12-10

No. 200/with Rs 5/- in cash.

GOVERNMENT OF H. H. THE MAHARAJA OF MYSORE,
GENERAL AND REVENUE SECRETARIAT,

Dated Bangalore, ...8th March..... *191* 3.

FROM

K. R. SRINIVASAIENGAR, ESQ., M.A.,
Offg. Secy. to the Govt. of H. H. the Maharaja
of Mysore, Gen. and Rev. Departments.

To

Narasinga Row Purnayya Esqr, B.A.,
Jaghirdar of Yelandur,
Bangalore.

Sir,

In reply to your letter No.B. dated the 5th instant requesting to be furnished with copies of representations if any made to Government by Lady Krishna Murti and Mr. Srinivasa Murti Purnayya, I am directed to state that the question of granting the copies required by you will be considered by Government after hearing the parties and discussing the case with them on the 26th instant.

2. Meanwhile, I am to return herewith the sum of Rs.5/- received with your letter under reply.

I have the honour to be,
Sir,
Your most obedient servant,

8/3

Draft

Offg. Secretary to Government.

Legis 8-12-11

Purna Prasada,
Bangalore. Dated 24-3-'13.

WS 24/3/13

To

The Secretary to the Government
of His Highness the Maharaja of
Mysore, Gen. & Rev. Deptts.,
B a n g a l o r e.

Sir,

I beg to acknowledge with thanks the receipt of your letter No. 129 (192?) Dated 13.3.1913 (4?) and in compliance therewith to intimate that I authorise my nephew, (son of my late brother Atmaram Rao's son) M.Narasinga Rao to appear for me before the Dewan in Council on the 26th instant and to ascertain the intentions

6 Copies

G.O.S. 26]

Legislative File No. 8

Serial No. 12

*Diary No. of letter replied to*_____

No.

General and Revenue Secretariat

( )

, *the* No. 1913

No. 253.

No. 254.

No. 252.

No. 255.

Date of issue_____

Signed by D 31.3.1913.

To

(1) Srinivasa murti Purnayya Esq
Ali Askar Road,

(2) B. Venkoba Rao Esq.

(3) Narsinga Rao Purnaiya Esq. Purnaiyapet

(4) Lady Kaveribai Krishnamurti

Sir,
Madam,

It has been represented to Govt that the disposal of the questions now pending before them regarding the annuities payable from the Yelandur Jaghir Funds and other

over.

SUBJECT.

matters will be greatly facilitated by a perusal of certain papers said to be deposited in a box placed inside an iron safe in your apartments the apartments of Lady Krishnamurti in Purnaprasada. Govt. are given to understand that the safe and the box are locked up by all the parties interested in the case and that you are in possession of the key of some of these locks.

I am accordingly to request you to be so good as to inform me if you have any objection to the safe being opened, in the presence of the parties interested, by myself or by any

List of enclosures,

Copied by

Examined by

GPB—10,000—28-2-11.

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

at 8 A·M on Sunday the 6th April

other responsible officer of Govt with a view to the papers contained therein being removed and placed before Govt for their perusal.

I am also to enquire if you will be present (in person or through a proper representative) at the time of the opening of the safe and box — ~~the date and hour of which will be intimated to you in due course~~ — and give necessary helps to the officer deputed by Govt for the purpose.

I have etc

28/8/13 Offg Secy

III/Rev/
30

Secy/ No 2224
Orders
DS 3/4/13.

Office of the Jagmirdar of Yelandur.
Dated Purna Prasada, Bangalore
Legs 8-12-13 2nd April 1913.

From.

Varasungaran Purnaiya, Esquire, B.A.
Jagmirdar of Yelandur.

To.

K. R. Sreenivasiengar, Esquire, M.A
Secretary to the Government of
His Highness the Maharaja
of Mysore, General and
Revenue Departments,
Bangalore.

Sir,

In reply to your letter no. 252 dated 31st. March 1913 enquiring if I have any objection to the safe being opened etc I beg to state that I have absolutely no objection to the opening of the safe or the picking up of the necessary records and that I will be present on the occasion of your visit to Purna Prasada on the 6th. instant. to render such help as it may be in my power to do. But in the matter of keys which as I have personally submitted to Government are in the custody of my brother

Mr.

Mr. Srinivasa Murti Purnaiya. I have just learnt that he left this for Nellore last night and have therefore written to him to request to be kindly present on the occasion with the Keys in his custody

I have the honor to be

Sir,

Your most obedient servant

Narasimha Murti Purnaiya

Jagirdar of Velavour

M.

C. dept

3/4/13

Legis 8-12-14

Bangalore
2nd April 1913

From

B. Venkoba Rao Esq
Assistant
Commissioner
Bangalore

To

K R. Srinivasiengar
Esq M.A.,
Secretary to Govt.
Genl & Rev Depts

Sir,

With reference to your
lett. no 254 dated 31st March
1913, in re my objections
if any to the iron safe in
Purnapranada being opened,

I have the honour to state as follows:—

It was physically impossible to put on as many locks as there are individual members of the family with interests, and I represent a group of members i.e the daughters of the late Mr P N Purnaiya

We are anxious to preserve at least the status quo ante, if it is not feasible at once - to go beyond towards the pacific settlement of our claims. We have the same thing to say as regards re-appearances in Purnaprasada

other than the non-safe,
which we believe sooner
or later the Government
will see the necessity of
examining, as an examina-
tion of a part only of the
important papers in Punna
prasada will not be sufficient.

As regards the Condi-
tions necessary to preserve
the status quo ante, I take
the following from the re-
presentation to government
on a former occasion:—

1. Each party represented
by a key to be allowed to
be represented at the
examination and to see

(5) The papers taken by Government Officers to be returned to the respective boxes under the same locks when the Government no longer requires the papers.

I believe that there will be no difficulty now in complying with our needs mentioned above, and on this understanding, I shall be glad to be present on Sunday the 6th & and give you necessary help

Messrs C Srinivasa

Purnaprasada,

Bangalore, Dated 4-4-1913.

To

K.R.Srinivasaiengar, Esq., M.A.,

Offg. Secretary to the Government of His Highness

the Maharaja of Mysore, Gen. & Rev. Departments,

B A N G A L O R E.

Sir,

I have received your letter No.255 dated the 31-3-1913, asking me to inform you if I have any objection to the opening of the safe contiaining the box in which certain papers are deppsited, as perusal of the same by Government would facilitate the disposal of the questions now pending before Government, and whether I shall be present in person or through a proper representative at the time of the opening either by yourself or by any other responsible officer of Government.

2. In reply, I beg to say that so far as I am concerned I have no objection to the box being opened and the papers therein contained being perused for the object mentioned, and I shall be glad to give the keys of those of the locks which I have caused to be put to the same.

3. I shall also be glad to be present through a proper representative at the time of the opening of the safe and the box. I have however to represent that when,

(a) the papers intended for perusal are removed from the box a duplicate list of the same should be kept in the box

(b) the papers during your custody of the same should be open to the inspection of myself or my representative and the members of the late Mr.Purniah's family, and their publicit beyond the limits should be strictly provided against

Vellore
4 April 1913

Dear Visweswarya

my son-in-law Srinivasamurti Purnayya recently underwent the Intermediate examination which concluded last Monday & is now here with us for a few days rest after the heavy strain he had experienced.

However he shewed me your General Secretary's No 253 dated 31 March asking him to be present at Bangalore next Sunday 6 April when some Safe ... be opened & some papers

taken for the information of Government. Of course he has no objection to the procedure. In fact his case is that the more light is thrown on his circumstances the better it is for him

He wished to return at once to Bangalore to obey the directions of Government. If he has to do so, he has to leave today & he came here only on the 2nd Neither my wife nor I - naturally - can persuade him to go away so soon after such a short stay which to him is the most he really needs.

He has reluctantly consented to stop here a few days more on condition that Government will not misunderstand his position And I promised to write to you so that you may not misunderstand him

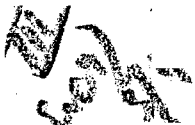
He is perfectly willing to any Course proposed to be taken by Government In the matter of the annuity on account of the Regulation Government appears to be sole Judge and his interests require that he should have the sympathy of Government. I do not myself see what bearing these other papers have on the annuity Question: but he wants to talk to

with all the directions of
Government.

He is not sure of amongst the
keys he has is one of the keys of
the safe proposed to be examined
also where he has at present
secured the key. I am afraid
that if Narasingha Rao has not
a duplicate key, the Examination
can not come off next Sunday.
If it be so, I am sorry of any
inconvenience occurs there by.
He is afraid of causing this, but
we are responsible & not he &
I hope you will throw the blame
on the proper shoulders. If
necessary he will surrender
the key at once on his return
to Bangalore a few days hence

With best regards Yours sincerely

Memorandum



Address: Upton, Aliasker Rd
Bangalore.
Now at Nellore 4th April 1913

To
The Secretary to the Government of His
Highness the Maharajah of Mysore
General & Rev Department

Sir

I beg to acknowledge receipt of your letter no 253 dated 31st March 1913 intimating the wishes of Government to inspect certain papers deposited in an iron safe in my aunt Lady Krishnamurthi's apartments and requesting me to inform me if I have any objection to the removal of such papers by a responsible officer of Government next Sunday, and if I would be present then.

I have no objection to

whatsoever to the inspection of the documents referred to and to their examination by Government.

3. I regret however I cannot be present at Punnaipuravadi next Sunday. After the strain of the Intermediate Examination which I recently underwent, I am now in Nellore for a few days rest. However I have confided my case fully into the hands of Government and as I feel sure they will do the needful I do not think it necessary I should be present. Government may open the safe even in my absence. Unless the Government requires my assistance in which case I shall obey

to direction

4. I have some keys of some boxes with me. I shifted a few months ago from Ramaprasada to upton. I do not know for certain where the keys in my possession are I hope however that the keys in the possession of my brother and others will suffice for getting at the papers of mine on my return to Bangalore a week hence, I shall meet for the keys in my possession and give them to you. I hope however that if this contingency arises that I may be

censured for having unwittingly given occasion to a postponement of the Examination from next Sunday

I have the honour to be,

Sir,

Your most obedient servant,

[illegible]

Purnaprasada,

Bangalore-5th. April 1913.

5/4/13

My dear sir,

In continuation pf my last letter No. 2224 dated the 2nd. instant, I beg to bring to your notice that my brother, Mr. Sreenivasa Murti Purnaiya, has since sent me his reply from Nellore, an extract whereof is herein enclosed for favour of ... your perusal and information.

I am sorry that my brother's letter pleading his inability to be present here tomorrow morning or at least to have the keys in his custody produced at the time of your visit is ... most disappointing. As he, however, says that he has no objection to the papers being examined I would earnestly request you to ... kindly see your way to have the safe and the box opened and necessary papers taken out from them by breaking the locks if necessary, for which I have absolutely no objection.

In any case I will be present here tomorrow at 8 a.m and will gladly render to you any service that may be expected of me in the matter of obeying the orders of Government.

Yours sincerely,

Narasinga Rao

To,

K. R. Srinivasaiengar Esq. M. A.,

Secretary to the Government of

His Highness the Maharaja of Mysore,

General & Revenue Departments

Bangalore.

Nellore,

4th. April 1913.

My dearest brother,

I received your kind letter yesterday evening. Many thanks for the same.

In the matter of the Examination of the papersin the safe I have also written to Government that I have no objection .... whatsoever to the papers being inspected by Government.

After the Inter Examination strain I wanted rest for a few days and so I came over here. However I telegraphed to Mr. --- Ramachendra Rao before I came here that I ought to return to Bangalore by the 6th. Having come here only on the 2nd. he desires that I should stop here for a few days more and I don't see how I can get away from here without his permission.

I have some keys of some of the boxes &c, with me but I don't know where I have secured it. When I return to Bangalore in about a week's time I shall be able to hunt them up.

&&&&&&&&.....&.....&.....&.....&.....

.....&.....&.....&.....&.....&.....&.

/ True ~~Copy and~~ Extract /.

I am, ~~Yrs. very~~ Yours very affly affectionately yours

Sreenivasa Murti

Purnaiya.

[S. 26]

Legislative File No. 2-1
Serial No. 1-1

Diary No. of letter replied to

No.

General and Revenue Secretariat
( )
, the No. 2 603.
No. 262.
Date of issue No. 264
Signed by D 5. 4. 1913.

To
(1) Narasinga Rao Purnayya
(2) B. Venkoba Rao Esq. Esq
(3) Lady Kaveri Bai Krishna-murti

(1)+(2). Sir
(3) Madam,
I am directed to acknowledge the receipt of your letter dated 1) 2nd 2) 3rd 3) 4th Instt. and in reply to inform you that as Mr. Srinivasamurti Purnayya has expressed his inability to be present at the time for the opening

over.

SUBJECT.

of the Safe tomorrow owing to some inconvenience, it has to be put off to some other date which will be intimated to you in due course.

I have etc

Offg Secy 5/2/13

List of enclosures,

Copied by

Examined by

GPB—20,000—25-9-10

3875

(G.R.S. 26]

Legr. File No. 2-1

Serial No. 1x

*Diary No. of letter replied to*_____

No.(1) 265
(2) 266
29.4.13

General and Revenue Secretariat

( )

, *the* 19

To

(1) Narasinga Rao Purnayya Esq
(2) B. Venkoba Rao Esq -

Date of issue_____

Signed by_____

Sir,

In continuation of my letter no. (1) 263 (2) 262 of 5th Instant, I am ~~the hons~~ directed to inform you that Saturday the 12th April 8. A. M. has been fixed for the opening of the safe at Purnaprasada, and I am to request you to

over.

SUBJECT.

Kindly be present during
the occasion and
give all necessary
help in the matter.

I have etc

8/4

Offg Secretary

List of enclosures,

Copied by

Examined by

GPB—20,000—25-9-10

G.R.S. 26]

3876 Legs File No. 8-
Serial No. 19

Diary No. of letter replied to

No. 267 Dy 9.4.13

General and Revenue Secretariat

, *the* '9

Date of issue

Signed by

To

Lady Kaveriban
Krishnamurti
Madam-

In continuation of my letter no. 264 of 5th April, I am directed to inform you that Saturday the 12th Instant 8 A.M. has been fixed for the opening of the safe at Purnaprasada and I am to request

over.

SUBJECT.

you to be present in person or through a proper representative during the occasion and give all necessary help in the matter.

I have etc

W. B. [illegible]
Offg Secretary

List of enclosures,

Copied by

Examined by

GPB—20,000—23-9-10

G.R.S. 26]

Diary No. of letter replied to

General and Revenue Secretariat

( )

, the *19*

Date of issue

Signed by

3875 Legs File No. 8-

Serial No.

No. 268 Dy 9/4/13

To

Srinivasamurti

Purnayya Esq

Sir,

With reference to your letter dated 4th Instant, I am directed to inform you that Saturday the 12th Instant 8 A.M. has been fixed for the opening of the Safe at Purnaprasada and I am to request

over.

SUBJECT.

you to be present
on the occasion and
give all necessary
help in the matter

I have etc

LSB 8/4

Offg Secy.

List of enclosures,

Copied by

Examined by

GPB—20,000—23-9-10

G.F.S. 26

Legs File No. 8-12
Serial No. 2

Diary No. of letter replied to

No. (1) 278.
(2) 279.
(3) 280.

General and Revenue Secretariat
( )
, the 19

To
(1) Vanamja Rao Purnayya Esq
(2) Srinivasa murti Purnayya Esq
(3) Lady Kavenibai Krishnamurti

Date of issue 09. 4. 1913.

Signed by Mr. V. R. Srinivasiengar.

Sir (1) & (2)
Madam (3)

I am directed to ~~request you to be so good as to be present~~ inform you that in person or by a duly authorised vakil at his Camp at Chamber ~~inform you that~~ the case regarding Yelandur Jaghir and matters has been ~~posted for hearing~~ taken up for consideration on Monday the 21st by the Dewan at 11 A.M.

over.

SUBJECT.

Instant ~~and at 2 P.m~~
and ~~that the Dewan~~
and the Councillors
will ~~be glad to see~~
you ~~then in the Public~~
~~Offices and hear~~
~~any representation~~
~~that you may wish~~
to make.

(1) & (2)
(3) or your representative

I have etc

List of enclosures,

Copied by

Examined by

GPB—20,000—23-9-10

Tipton.
26. april 1913.

To

The Secretary to Government,
Gen & Rev Departments.
Bangalore.

Sir,

directed at the meeting on the 21st april, I wrote to Mr Ramachendra Rao and enclose his reply.

I beg respectfully Government may give me time till about the 15th may to submit my

Camp Nellore &c.
24 dec 1892

My dear Pattusami,

I am in receipt of your letter describing the interview you had with the Dewan in Council & asking me if I would consent to serve as arbitrator in certain family matters of yours.

Your letter is not sufficiently explicit. You wish a list of the matters to be submitted for arbitration to be prepared. It is also desired that the arbitration should be final. As one interested in you, I must ask you to beware of committing yourself to anything rashly. Lady

Krishnamurti has already
her jewels, her arrears of
pension & her annuity. and
I understand she is claiming the
separate property also. Your
brother will always have the
jolie It is you who will be left in the lurch

I have studied your case with
the best legal advice available
here. It is no doubt a doubtful
point if any of the annuity questions
can be moved in the Civil Courts.
Hence my wish was that the
Mysore Government should first
dispose of this question & your
further action should depend on
their decision

Regard the separate property,

There is no doubt about your share of half. I wonder you did not mention to the Council about the partition deed already executed

I think it best under the circumstances — especially as I have not full information before me that you should ask for more time based on your reply. I go to Ooty early in May & shall see the Dewan: ascertain what the wishes of Government are: & thereafter advise you.

The Dewan may say I have a personal interest in the matter on account of you. Naturally but I am really surprised that any one

should have unclaimed & women
act unfairly to serve yours or
any one's interest. Mr Vincent is
a stranger to the Province; that
is the only explanation. At the
same time, as you are only an
inexperienced boy in whom I
have interest & as you are deserted
by your brother & Sheen I cannot
& will not permit that you be
deprived of your dues.

Write to the Secretary asking
for more time to submit your
reply & I shall advise you
at leisure afterwards about the 15th.

With best love

Ever yours sincerely

Mamaduke Nov

Legis 8-12-0

" Purnaprasada .

No. 44.
Enclosure. Copy of a Rep^n dtd
(four pages)

Bangalore, dated 28th. April 1913.

From,

Narasingarau Purnaiya Esq., B. A.,
Jaghirdar of Yelandur,
Bangalore.

To,

K. R. Srinivasaiengar Esq., M. A.,
Secretary to the Government
of His Highness the Maharaja of Mysore
General and Revenue Departments,
Bangalore.

28/4/13

Sir,

I cannot feel sufficiently indebted to the Dewan and .. Councillors for the sympathetic consideration they were pleased to bestow on our affairs and the advice they were good enough to tender to all of us. The recognition of the principle of arbitration by all the parties concerned is in my humble judgment emtirely due to their exceptionally good offices as my anxious endeavours proved barren of results; and I therefore beg to tender my most grateful and respectful thanks for being kindly conveyed to them.

2. As directed by them I note below my humble views about the subjects to be dealt with by the arbitrators as also the ... terms of reference to the latter which still remain to be settled

(A). The subjects to be considered by the arbitrators may be fixed by the Council as I am content to ... leave the matter fully in their hands. But there is one exception. After long and careful consideration with my brother Mr. Srinivasa Murti Purnaiya and his father-in-law (Mr. K. Ramachendra Rao, .. Collector of Nellore) we, brothers, have entered into a definite agreement to become divided in Status and interest in the joint family property

property as per a duly registered deed of reference to arbitrators, copy whereof is herein enclosed for favour of submission to Government.

(B) The arbitrators shall be bound to observe the following:-

i. In matters relating to the Jaghir annuity, the Jaghir Regulation and also the Hindu Law so .. far as the application of the latter is permitted by the former.

ii. In other matters the principles of Mitakshara Law, which govern the parties concerned.

iii. The statements of facts about the family made by my uncle Sir P. N. Krishna Murti and my ... father Mr. P. N. Purnaiya as far as they are disclosed by genuine records, shall be accepted by the arbitrators as settled facts.

iv. The arbitrators should also give due deference to the intentions of Sir P. N. Krishna Murti as far as possible.

3. The Council will be pleased to see that in the absence of such instructions ordinarily observable in Courts of Law, the arbitrators may not will find it difficult to act with satisfaction to themselves; and should they ever overcome this inconvenience, their notions of equity might probably prove irreconcilable with law, and quite unwittingly a hardship not ~~oppressive~~ to one or more of the ... parties concerned. I take it that it is undoubtedly the earnest desire of the Council to avoid such results, and that, therefore these terms of reference are absolutely essential for a legal and equitable settlement.

I have the honour to be,

Sir,

Your most obedient servant,

Narasimhan

Jaghirdar of Yelandur.

the parties, and also of the liabilities properly and legally chargeable against the family, including the following that have to be incurred between the date of the deed and the date of award by the arbitrators, viz, (a) actual cost of management of property hitherto joint (b) expenses in connection with the temple at Purnaprasada (c) charges of ... maintaining such members of the family as are entitled to maintenance from the joint property notwithstanding the separation.

S E A L)

(5) The said arbitrators shall be at liberty ~~to~~ to call for from either of the parties all the accounts, documents and other papers in his possession or control.

(6) On such requisition being made by the arbitrators, the persons from whom such accounts etc, are called for, shall forthwith produce the same before them.

Second sheet of document No. 62 of 1912-13 Book No. IV.

(Initialled) M.S.

(7) The arbitrators are hereby authorized to fix the allowances due to the members of the ... joint family, who are by law entitled to ... such maintenance out of the family assets.

(8) In fixing the rate of maintenance under ... clause 7 above, the arbitrators should have due regard to the jewels and other properties in the possession of, and other incomes derived by, the several persons claiming .... maintenance out of the joint family properties.

(9) In case of disagreement between the arbitrators on any of the points which may arise .. for this decision, the decision of the .... majority shall prevail.

(10) If the arbitrators are equally divided in opinion on any question which they may have to decide the same shall be referred for de-

decisionto an umpire appointed by the arbitrators in that behalf, or in default, or in case of disagreement amongst them as to such appointment, to an umpire to be appointed by common consent of the parties concerned. The decision of such umpire on any question referred to him shall be final.

(II) In order to provide for the contingency of a claim against the parties being found .. valid and binding either by consent of the parties hereto or by a decision of a court of law, the arbitrators shall include in their award a clause to the effect that ... such claims shall, in such contingency .... happening, be met by the parties in equal shares, and in case either of them should fail to meet his share of such claim, and the other is in consequence compelled to meet the whole of it, the one who is so ... compelled to pay might recover the share of the other from the properties of the defaulter.

(I2) In making the pattition, the arbitrators shall leave out of consideration the claims of either of the parties to any allowance, perquisite or other right or rights derivable from the Jaghir of Yelandur under the Yelandur Jaghir Regulation I of I885, or from any order of the Government of Mysore, or from any decision of a competent Court of Law, or from Government or other source.

(I3) As the parties apprehend that it would take sometime before the arbitrators meet and an award is passed, and as in the meantime no separate possession of any of the proprties can be taken by either of the parties, Mr. Narasingarao Purnaiya should advance from

Book IV,Vol,6, P.P. I44-I47.

Registered as No. 62 of Book IV Vol. 6, P.P. I44-I47. Fee paid Rupees 7-4-0 only.

/ Signed / M. Srinivas Rao

Sub-Registrar.

24-3-I3.

(S E A L)

"Copy"

Bags 8-12-24

Purnaprasada.
5th May 1913.

To K. K. Srinivasangar Esqre m a.

The Secretary to the Government of His Highness
the Maharaja of Mysore, General & Revenue Departments,
B A N G A L O R E.

BS 6/5/13

Sir,

With rererence to orders orally communicated by the Dewan in Council on the 21st April 1913 to me through my representative Mr.M.Narasinga Row and calling upon me to suggest the names of certain gentlemen whom I would desire to sit on a board of arbitration duly empowered to investigate into and decide upon such issues of matters in dispute between the parties as may be embodied in a deed of reference to be subsequently drawn up for the guidance of the said arbitrators, I respectfully submit the following list of gentlemen who in my judgment are by virtue of their respectability and high position competent to decide equitably matters submitted to their consideration. Any three gentlemen may be selected and a board constituted for further act

1 R.H.Campbell, Esq., I.C.S.,

2 F.B.Warburton, Esq., I.C.S.,
1st Asstt: to the Hon'ble the Resident in Mysore.

3 E.H. Wallace, Esq., Judge, Chief Court, Mysore.

4 Pradhana Siromani T.Ananda Row, Esq., C.I.E.,

5 Rao Bahadur P.S.Krishna Row, Esq.,

6 Dewan Bahadur A.Ramachandra Aiyar, Esq.,
Retd: Chief Judge.

7 Rajamanthra Pravina C.Srinivasaie ,
Retd: Councillor.

Harasimha Iyengar, Esq.,
Retd: Palace Controller.

9 Rajakarya Pravina A.Rangasami Iyengar, Esq., BA., BL

2. As regards the proposed reduction of the annuity M

10,000 R. graciously ordered in Government Order No. dated August 1912 to be granted to me out of the revenues of the Yelandur Jahagir, I beg to represent the following for the kind consideration of Government.

1. The considerations of equity and expediency which inspired the order now proposed to be modified have not lost any force since the date of that order. When the terms of that order were announced to me I felt satisfied that those considerations had been respected by Government. It is therefore not known to me what circumstance has since arisen of sufficient force to induce Government to modify that order.

2. It has been the present Jahagirdar's contention that the Estates and effects of the Krishnamurti-Purnayya family apart from the Yelandur Jahagir constitute undivided ancestral property to which I as the widow of late Sir P.N.Krishnamurti have no claim to a share except a right to maintenance. In the event of this contention being decided in his favour either by Government or by a duly constituted board of arbitrators, or in a Court of Law, the quantum of annuity as may be fixed hereafter in modification of Government Order of 12th August 1912 will virtually have been the only provision made for my maintenance suited to the rank and position of my husband. This future contingency would render my position extremely difficult to maintain in the social world in which I am placed.

3. With a decreased annuity; with a possible declaration that my husband holding high positions in the Government with liberal salaries and allowance and also with an absolute ownership of the surplus revenue of the Jahagir during his tenure of Jahagirdari (1869-1912) did not leave, and could not have ~~felt~~ left ~~my~~ any piece of property that could be justly considered his self-acquired property capable of

being inherited by his widow and his other legal heirs; the injury done to me and the others who represent Sir Krishnamurti's line may be easily conceived.

I therefore pray that Government may, having regard to these points, be pleased not to modify the order of 12th August 1912 in respect of my annuity.

I may on this occasion submit to the consideration of Government that while the amount of annuities allotted to Branches outside the Krishnamurti-Purnayya line remains unaffect-ed by the settlement of this problem adequate provision for the requirements of the position of the brother of the present Jahagirdar can be amply met from the increased net revenue of the Jahagir.

I have the honor to be

S i r,

Your most obedient servant,

LADY KRISHNAMURTI.

Legis 8-12-25

GOVERNMENT OF MYSORE

D. O. No. 39-40

GENL. & REV. SECRETARIAT,

Bangalore, 7th August 1913

Dear sir,

In connection with the proposed appointment of arbitrators for the settlement of the disputes between you and Lady Krisnna Murti, I am directed to inform you that the Dewan and Councillors will be glad to see you in the Council Chamber at 2 p.m. on Wednesday the 20th instant.

Yours sincerely,

To,

Narasinga Rao Purnaiya, Esq.,
Jaghirdar of Yelandur.

Srinivasa Murti Purnaiya Esq.,
30/c. "Venkata Vilas"
Mowbray's Road, Mylapore, Madras.

Legis 8-12-26

GENL. & REV. SECRETARIAT,

D. O. No. 38.

Bangalore, 7th August 1913

Madam,

In connection with the proposed appointment of arbitrators for the settlement of the disputes between you and Messrs: Narasinga Rao Purnaiya and Srinivasa Murti Purnaiya, I am directed to inform you that the Dewan and Councillors will be glad to see you or your representative in the Council Chamber at 2 p.m. on Wednesday the 20th instant.

Yours obediently,

To,

Lady Kaveri Bai Krishna Murti,
"Purnaprasada" Bangalore.

Legis 8-12-27

PURNAPRASADA,

Bangalore, 23rd. August *1913*

My dear Sir,

I had the pleasure of meeting Mr.A.Ramachand Iyer this morning as per engagement previously made with him and formally requested him to kindly serve as an arbitrator for settling our affairs. After explaining his inability to do it immediately he was pleased to tell me that he would either write or speak to the Dewan Sahib and settle the question.

I have herein enclosed the duplicate copy of the lette I have addressed to my brother as I was directed to do by the Dewa Sahib at the last council meeting.

I beg that you may please submit the above facts to the Dewan Sahib and oblige,

Yours Sincerely,

Narasinga Rao Srinivasaiya

To

K.R.Srinivasaiengar Esquire M.A.,

Secretary to the Government of His Highness the Maharaja of Mysore, General and Revenue Deptts.

Bangalore.

" Purnaprasada ",

Bangalore. Dated 22nd.August 191 3

My dear brother

I am sorry you could not make it convenient to go here for father's ceremony or the Council Meeting. I hope you have now recovered your health and vigour.

At day before yesterday's Council meeting it was decided that Messrs. C. Srinivasa Iyengar, M. Shama Rau and A. Ramachendra Iyer (retired Chief Judge. Mysore) should form the Committee of Arbitrators to settle existing differences provided you will also agree to it as Mr. M. Narasinga Rau and I have done. The Dewan Saheb who is taking much interest in our affairs told me repeatedly that I should write to you and get you here.

It is in my own behalf as also in obedience to the Dewan Saheb's instructions that I should request you to go here at least for a day so that you might realise the situation and see how desirable it is that you also should agree to the proposed composition of the committee. All are agreed in thinking that the proposed committee is the best that could be had. Please do come and do the needful.

Yours affectionately,

/Signed/ Narasinga Das Purnaprasada

/Copy/

Narasinga Das Purnaprasada

23—8—13.

Legis 8-12-28

Purnaprasada,
Race Course Road,
Bangalore
25th August 1913.

My dear Sir,

I beg to state for the information of Government that herein enclosed is the a copy of my letter of yesterday's date addressed to Lady Kaveribai Krishnamurti in the matter of my offer to pay her a sum of Rupees eight thousand.

Yours sincerely
Narasinga Nandurnaiya

To
..... Srinivasa Iyengar Esq M.A.,
Secretary to the Govt of Mysore
Genl & Rev. Depts., Bangalore

" Purnaprasada ",

Race Course Road. Bangalore.

Dated 24th. August 1913.

Dear aunt,

In continuation of my letter of the 10th.ultimo I wish to inform you that I have no objection to arrange for a sum of Rs. 8000/- being remitted to you in two or three instalments if you are willing to receive it. The payment shall of course be made without prejudice to the final decision of Government in the matter of annuity question pending disposal before them.

Yours obediently,

(Signed) Narasinga Narayana

(Jaghirdar of Yelandur.)

To,

Lady Kaveri Bai Krishna Murti,

Purnaprasada, Bangalore.

Copy "

Narasinga Narayana

D.O. No 57.

Legis 8-12-29

G. R. S.

1st Septr. ~~Aug.~~ 1913.

Dear sir,

It is proposed to appoint the marginally named three gentlemen as arbitrators for the settlement of the disputes between you and Mr. Narsinga Rao Purnaiya on the one hand and Lady Krishna Murti on the other, in the matter of the family properties etc.

1. Rajamantra Pravina Mr. C. Srinivasiengar
2. Mr. M. Shama Rao, M.A.
3. Dewan Bahadur A. Ramachandra Iyer,

Will you kindly let me know for the information of Government whether you are agreeable to the above proposal?

The favour of an early reply is requested.

Yours sincerely,

1/9/13

Srinivasa Murti Purnaiya, Esq.,

Madras.

Legis 8-12-30

(1) D. O. No. 366.
(2) D.O.N. 367.

GENL. & REV. SECRETARIAT,

Bangalore, 17th December 1913.

Dear sir,

In connection with the Yelandur Jaghir annuity disputes now pending before Government, I am desired to state that the Dewan would like to have a talk with you and your brother about the case, and to request you to kindly inform me if it would be convenient for you to meet him with your brother, at Bangalore, any day before the 25th instant.

Yours sincerely,

DRAFT.

To,

(1) Narsinga Rao Purnaiya, Esq.,
Treasury Officer, Chickmaglur.

(2.) Srinivasamurti Purnaiya, Esq.,
30/C. "Venkata Vilas", Mowbray's road,
Mylapore, Madras.

Legis 8-12-31

21. Dec 1913.

Dear Sir,

I am in
receipt on the 19 Dec
of your Do no 367 of 17 Dec
and beg to reply I shall
be glad to wait on the
Dewan as directed

My holidays have
commenced and please
write to address of Collector
of Nellore when and where
I have to present myself.

I have written to

Legis 8-12-3

24. Dec 1913.
Bangalore

Dear Sir,

With reference to our conversation today, I beg to state as follows:-

1) As between me and my brother there is already a deed of partition and I shall be guided ~~in accordance~~ by it.

2). Hence the dispute is as between Lady Krishnamma on the one hand and my Narasingarao Bahadur on the other. I shall be glad to abide by any decision my brother may come to in the matter of the division of the family property.

Yours Sincerely
Venkatarama Bahadur.

To The Secretary to Govt.

Legis 8-12-33

Section
No 13/1/14

PURNAPRASADA,
Bangalore, 25th Dec 1913:

Dear Sir,

With reference to the conversation we had today in your residence about the personnel of the arbitration I take this opportunity of recording my views for the sake of convenience. If Messrs M Shamarao and K. Krishna Iyengar agree to act as arbitrators they should be on the arbitration The third gentleman may be chosen out of the remaining three viz Mr Rajamannar Ravina & Srinivasaiyar, Dr P. S. Achyuta Rao and Mr P. Raghavendra Rao in the order mentioned here

Yours sincerely
Kasturi Rangaiya

K Srinivasaiyar Esq M A
Genl & Rev Secretary to the
Govt of Mysore, Bangalore

Leg: 8-12-35

S. NARAYANA RAO,
ADVOCATE.
"BHADRACAYA,"
ANNEVA TEMPLE ROAD,
BANGALORE (CITY.)

3/1/19

Bangalore

3rd January 1914

Dear Mr Sreenivasangar;

I shall be happy to receive you in my house at any time between 8 and 10 A. M. tomorrow. If the business be urgent, you may step into my house on your way home this evening.

Yours Sincerely
S. Narayana Rao

S. NARAYANA RAO
ADVOCATE.
"BHADRASAYA,"
ANNAMMA TEMPLE ROAD
BANGALORE (CITY.)

5/1/14.

Dear Sir. I

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Yours Sincerely
S. Narayana Rao

P.S.

If found necessary, we may meet and discuss the matter

SNR

This INDENTURE made on the day of January 1914 BETWEEN Lady Bai, the relict of Sir P. N. - Krishna Murthy of the one part and Narasinga Rao Purnia and Sreenivasa Murthy Purnia of the other part WHEREAS diverse disputes and differences have arisen between the said parties touching the status of the family of the late Sir P.N.Krishna Murthy and his brother P.N.Purnia, the property owned and -- left by them (other than the Yelandur Jaghir and the arrears of pension of the late Sir P.N.Krishna Murthy with reference to which other lawful proceedings have been taken or are pending and which are not included in this submission) and the - Stridhanam property and jewels of the first party, and in --- order to put an end to the said differences and disputes and to obtain an amicable adjustment thereof, the said parties -- have and each of them has agreed to refer the same to the --- award of (1) ~~elected by Lady~~ ~~Bai~~, (2) ~~elected by Narasinga Rao Purnia and Sreenivasa Murthy Purnia~~, and (3) elected by both parties to arbitrate, award, order, judge and determine of and concerning the said differences and disputes between the said parties -- Now th INDENTURE Witnesseth That each of the abovenamed parties does covenant and agree with the other to stand, to - abide by, observe and perform the award and determination of the said three arbitrators or any two of them (in case of -- difference of opinion among them) touching the premises, That the said arbitrators shall judge and determine according to the principles of Hindu Law applicable to the parties the said differences and disputes touching the points (1) Whether Sir P.N.Krishna Murthy and P.N.Purnia were divided or undivided in interest? (2) Whether Sir P.N.Krishna Murthy left any and what self acquired or separate property? (3) Whether Sir - P.N.Krishna Murthy had any and what separate debts? (4) Whether any and what property belong to Lady Krishna Murthy as her - Stridhana and (5) What properties shall be awarded to Lady - krisnna Murthy under the circumstances of the case? That in

in case either of the arbitrators solely elected by either party shall die, refuse or become incapable to act as arbitrator before whole of the premises hereby referred shall be determined by the said arbitrators, then the party who had elected such arbitrator shall forthwith nominate and appoint some other fit person to be arbitrator in the stead and place of such aforesaid arbitrator, That in case the party bound to nominate and appoint a fresh arbitrator as aforesaid fail to do so for fifteen days from a notice shall have been delivered to such party by the other party calling upon such party to appoint a fresh arbitrator or in case the arbitrator elected by both parties shall die, refuse or become incapable to act as arbitrator, then the two remaining arbitrators shall forthwith nominate and appoint a fit person to be arbitrator in the stead and place of such aforesaid arbitrator, That the new arbitrator annointed as aforesaid shall along with the other arbitrators continue and proceed with the arbitration as if he were originally appointed, That the arbitrators shall deliver their award within six months from the date hereof, That it shall be lawful for the said arbitrators or majority of them by written notices under their signature served on the parties and endorsed on this document to enlarge from time to time the period fixed for making their award so that the last extension does not exceed the 1st day of January 1915, That it shall be lawful for the said arbitrators to proceed exparte in the said several matters referred to them in case of the non-attendance of either of the parties hereto after fifteen days previous notice in writing being given her or them for that purpose or left in the parties usual place of abode, That it shall be lawful for the parties hereto to produce before and deliver to the arbitrators any documents in their possession or power and adduce evidence in their favour, That neither of the said parties shall bring or prosecute any suit or action in any court against the other of them concerning the matter herein referred. In witness whereof the said

parties

parties have hereunto set their hands the day and the year first above written.

In the presence of:

Legis 8-12-3

D.O. no 386

Encls 1.

Bangalore,

7th Jan.y 1914.

Dear Mr. Narasinga Rao Purnayya,

Herewith I send for your perusal and remarks the draft of a deed of reference to arbitrators prepared by Mr. S. Narayana Rao, retired Government Advocate. I shall be obliged by your informing me as early as possible if you consider the draft suitable or if you like to have any alterations made therein.

I have handed over a copy of the draft to Mr. M. Narasinga Rao also for the opinion and remarks of Lady Krishnamurti

yours sincerely,

(Sd) K. R. Srinivasiengar.

To

Narasinga Rao Purnaiya Esq, B.A.,

Treasury Officer,

Chikmagalur.

Chikmagalur

PURNAPRASADA,

Bangalore, 15th January 1914..

My dear sir,

With reference to your kind demiofficial letter No. 386, dated the 7th instant, forwarding a copy of the draft arbitration deed for my opinion, I am to state as follows:-

2. In my Note submitted to you on the 26th March last I made some general remarks as to future settlement to which your kind attention is invited. (Part C of the Note, concluding portion).

3. Again, in my letter No. 44, dated the 28th April last, I reiterated the conditions subject to which any kind of settlement that might be proposed would be reasonable in the circumstances of our family. (Paragraph 2, clause b, conditions i to iv).

4. The draft arbitration deed now sent to me does not embody all these material conditions, especially the one relating to the settlement recorded by the late Sir P.N. Krishnamurthi. I shall be wanting in filial duty if I agree to any arrangement which disregards the scheme devised by my late uncle after the deliberation of a life time.

5. In these circumstances I request that the draft may be revised so as to embody therein all the four conditions specified by me in my letter No. 44, dated the 28th April last so far as the claims of Lady Krishnamurthi are concerned. I may observe that the statements of fact made by Sir P.N. Krishnamurthi in the documents left behind him and the scheme of family settlement sketched out by him are binding on Lady Krishnamurthi.

6. If this is done, the following additional amendments of draft become necessary:-

(i) The family being admittedly undivided, Point No. 1 in the draft should be omitted.

(ii) In Point No. 2, the words "or separate" should be deleted

(iii) In Point No. 3, the word "separate" should be substitute by "personal".

(iV) Point No. iv may be omitted as I believe no dispute exist as to the title and possession of Lady Krishnamurthi's Stridhanam property. If any dispute is raised by Lady Krishnamurthi in this matter, the issue may stand.

(v) Point No. 5 may be amended thus:- Is lady Krishnamurthi entitled to the inheritance of any of the properties and so, subject to what liabilities?

(vi) An additional Point shall have to be raised as regards th arrears of pension:- "What direction is needed regarding the proper disposal of the arrears of pension received fr - by Lady Krishnamurthi".

Yours sincerely,

Manasingh Rao

K.h. Srinivasa Iyengar Esq., M.A.
Secretary to the Govt of H.H. the
Maharaja of Mysore,
General and Revenue Departments.
BANGALORE.

Purnaprasada,

Bangalore, 23 March 1914

Rec. 23/3

To

The Secretary to the Government

of H.H. the Maharaja of Mysore,

General and Revenue Departments,

B a n g a l o r e.

Sir,

In the accompanying memo all the objectionable features from my point of view to the Deed of Reference now submitted on behalf of Mr. Narasinga Rao Purnia are shewn. You will be pleased to know that I have practically abandoned all the points to which the other party raised objections, and I do not think that the arbitration need any longer be delayed. If the draft could be in the form I have suggested, there is no reason why there should be any more delay. Please place the whole matter before the Dewan with my assurance that I am extremely thankful for his kind intervention in the settlement of family disputes in a satisfactory and amicable manner. If in spite of all that I have conceded there is still objection of one kind or another on the part of the other side, I am afraid that the good offices of the kind Dewan will be frustrated much to the regret of myself and of others interested in my affairs.

I beg to remain,

Sir,

Your most obedient servant

305 & 250

Deed of Reference

Objections to the draft submitted on behalf of Mr. Narasinga Rao Purnaiya.

---

(1) "Touching the nature of the legal interest of the late Sir P.N. Krishnamurthi in the family properties which are all in the possession of the second party".

This is objected to-- In the first place it is too abstruse to be clear. In the next place it is difficult to understand the significance of the expressions (1)"legal interest of the late Sir P.N. Krishnamurthi" (We are just now concerned with the legal interest of Mary Krishnamurthi and not the late Sir P N. Krishnamurthi) We do not concede that the dispute relates only to "family properties" and to such "as are in the possession of the 2nd party" The wording contained in the very first draft may stand namely touching (a) the status of the family of the late Sir P.N.Krishnamurthi and his deceased brother P.N. Purnaiya and (b)and the property left or owned by them, other than those expressly excluded hereinafter.

(2) Save (1) the Yelandhur Jaghir (which is not a family property in the ordinary sense of the term--) . We take objection to the words within brackets (which is not----term) the expression Yelandhur Jaghir is sufficiently definite and we do not want any reasons for excluding it to be assigned.

(5) (ii) "the arrears of pension.....submission"--not We are prepared to allow this clause to stand in the above objectionable form. We would have instead :

"the subjectmatter of appeal No.14 of 1913-1914 on the file of the Chief Court of Mysore in regard to the pension of Sir Krishnamurthi directed to be given to Lady Krishnamurthi in F'.No.717-8 S & A 134-12-1 dated 12th August 1912 on her giving in writing an undertaking to Government to devote the whole or such part of the said pension for charitable or religious purposes as she in consultation with Government may decide upon subject of course to the second party withdrawing the said appeal

(4) (iii) Stridhanam property and jewelsand wearing apparel in the possession, custody or control of the mebers of the family to which the parties hereto belong (we would substitute the above for what the other party has put in)

(5) "Hindu Law". We would add "or other law

(6) The 4 issues framed by theother party do not fully cover the ground. We would have the issues which the Dewan was pleased to settle the other day. The issues noted by the Secretary may be accepted in the following form--with the addition to para 3 namely

"That the said arbitrators.. .....touching the points referred to in the schedule hereto annexed and to enable them to do so the arbitrators shall have to

(1) prepare an inventory of all the family property (i.e.

both ancestral and self-acquired) of the brothers exclusive of jewels and wearing apparel

and (2) classify the properties and liabilities under the heads

(1) (a)Joint property (b) joint debts

(2)Self acquired of Sir P.N.Krishnamurthi and his separate debts

(3)Self acquired of P.N. Purnia and his separate debts

Scgedule will be

(1) whether the deceased brothersthe late Sir P.N. Krishnamurthi and P.N.Purnia were undivided or divided in interest and if so ~~xx~~ in respect of which properties included in the inventory prepared by the arbitrators

(2) What are the debts if any which the parties hereto will be liable to repay?

(3) What relief shall Lady Krishnamurthi be entitled to by reason of the above findings?

(4) What properties in satisfaction of the relief Lady Krishnamurthi be found entitled to shall be awarded to her under the circumstances of the case?

7. Para 10. is both vague and imperfect. We would suggest instead "That it shall be lawful for the parties hereto to produce before and deliver to the arbitrators such documents as are in their possession or power and to adduce such evidence as he or she may consider necessary.

The arbitrators shall have power either of their own accord or at the instance of the parties to cause or compel the production of any papers or documents relevant to the enquiry that are or may be in the possession, custody or control of the parties hereto.

8. Para 11. "That the arbitrators....." We object to circumscribe the decision of the arbitrators by limitations of this or of any other kind. The whole of this para must be deleted.

9. Para 13 "Pending or prospective". We are unable to see the meaning and significance of the words "Pending or prospective". We are prepared to bind ourselves to this extent viz. that neither of the said parties shall bring or prosecute any suit or action in any Court against the other of them concerning the matter herein referred'.

10. The whole of this portion is quite out of place in the deed of reference. The respective contention of the parties may be placed before the arbitrators in the form of written statements if so advised, after the arbitrators enter upon their functions. We cannot understand the meaning of the expression "without prejudice" Does it mean that the parties are at liberty to go to Court if the result of the arbitration is unfavourable to them?

Lady Krishnamurthi's draft deed of reference

This INDENTURE made on the day of March 1914 between Lady Kaveri Bai Krishnamurthi, the ~~relict~~ widow of Sir P.N. Krishnamurthi of the one part and Narasinga Rao Purnia and Srinivasa Murthi Purnia sons of the late P.N. Purnaya of the other part WHEREAS disputes and differences have arisen between the said parties touching (a) the status of the family of the late Sir P.N. Krishnamurthi and his deceased brother P.N. Purnia and (b) the property left or owned by them, (both P & P.) ~~other than those expressly excluded hereinafter~~ and WHEREAS it is desirable to put an end to the said differences and disputes and to obtain an amicable adjustment thereof, the said parties have and each of them has agreed to refer the same to the award of (1) (2) (3) elected by both parties to arbitrate, award, order, judge determine of and concerning the said differences and disputes between the said parties. Now this INDENTURE withnesseth (1)That the scope of the Arbitrators' enquiry will extend to all the properties save (i) the Yelandhur Jaghir (ii) the subjectmatter of Appeal No.14 of 1913-14 on the file of the Chief Court of Mysore in regard to the pension of Sir Krishnamurthi directed to be given to Lady Krishnamurthi in Fl. No. 717-18 S & A 134-12-1 dated 12th August 1912 on her giving in writing an undertaking to Government to devote the ~~the~~ whole or such part of the said pension for such charitable or religious purposes as ~~she~~ in consultation with Government may decide upon subject, of course, to the second party withdrawing the said appeal.

and (iii) the Stridhanam property and jewels and wearing apparel in the possession, custody and control of the members of the family to which the parties hereto belong (2) That each of the abovenamed parties does covenant and agree with the other to stand, to abide by or observe and perform the award and determination of the said three arbitrators or any two of them (in case of difference of opinion among them) touching the premises (3) That the said arbitrators shall judge and determine according to the principles of Hindu Law ~~or of~~ or law applicable to the parties the said differences and disputes, excepting those expressly excluded herein, touching the points referred to in the schedule hereto annexed and to enable them to d... the arbitrators shall prepare (i) an inventory of all the family property i.e. both ancestral and self acquired of the brothers exclusive of jewels and wearing apparel and (ii) classify the properties and liabilities under the heads(I) (a) Joint properties (2) Joint debts (II) (a) Self acquired by Sir Krishna murthi (b) and his debts (Self Acquired by P... Purnia (b)his separate debts) (4) That in case any of the arbitrators shall die, refuse or become incapable to act as arbitrator before the whole of the premises hereby referred shall be determined by the said arbitrators, then both parties shall forthwith and within 15 days nominate and appoint some other fit person to be arbitrator in the stead and place of such aforesaid arbitrator (5)That in case the parties fail to do so within

the said period of 15 days, then the two remaining arbitrators shall forthwith nominate and appoint a fit person to be arbitrator. (6) That the new arbitrator appointed as aforesaid shall along with the other arbitrators continue and proceed with the arbitration as if he were originally appointed (7) That the arbitrators shall deliver their award within six months from the date hereof (8) That it shall be lawful for the said arbitrators or a majority of them by written notices under their signature served on the parties and endorsed on this document to enlarge from time to time the period fixed for making their award so that the last extension does not exceed the 1st day of January 1915. (9) That it shall be lawful for the said arbitrators to proceed exparte in the said several matters----referred to them in case of the non-attendance of either of the parties hereto in person, or by recognised agent or pleader empowered to act in her or their behalf after 15 days previous notice in writing being served on her or them for that purpose (10) That it shall be lawful for the parties hereto to produce before and deliver to the arbitrators such documents as are in their possession or power and to adduce such evidence as she or they may consider necessary. The arbitrators shall have power either of their own accord or at the instance of the parties to cause or compel the production of any papers or documents relevant to the enquiry that are or may be in the possession, custody or control of the parties hereto (11) That the trial of this reference by the arbitrators

be as far as possible in conformity with the general principles of the Law of Evidence and the Civil Procedure Code (13) That neither of the said parties shall bring or prosecute any suit or action in any court against the other of them concerning the matter herein referred to. In WITNESS WHEREOF the said parties have hereuntoset their hands the day and the year first above written

In the presence of

Schedule

Issues:— (i) whether the deceased brothers the late -- Sir P.N. Krishnamurthi and P.N. Purnia were undivided or divided in interest and if so in respect of which properties included in the inventory prepared by the arbitrators.

(ii) what are the debts if any which the --- parties hereto will be liable to repay?

(iii) what relief shall Lady Krishna Murthi be entitled to by reason of the above findings?

(iv) what properties in satisfaction of the relief Lady Krishnamurthi be found entitled to shall be awarded to her under the circumstances of the case?

(on behalf of Lady Krishnamurthy)

Alternative

D R A F T

This INDENTURE made on the day of January 1914 BETWEEN Lady Kaveri Bai, the widow of Sir P.N.Krishna Murti of the one part and Narasinga Rao Purnia and Srinivasa Murti Purnia sons of the late P.N.Purnia of the other part WHEREASdiverse disputes and differences have arisen between the said parties touching the status of the family of the late Sir P.N.Krishna Murty and his deceased brother P.N.Purnia the property owned and left by them (other than the Yelandur Jaghir and the arrears of pension of the late Sir P.N.Krishna Murti and the amount outstanding in the Bank of Madras, Bangalore to the credit of the late Sir P.N. Krishna Murti with reference to which other Lawful proceedings have been taken or are pending and which are not included in this submission) in order to put an end to the differences and disputes and to obtain an amicable adjustment thereof, the said parties have and each of them has agreed to refer the same to the award of (1)

(2)

(3)

elected by the parties of both the parts to arbitrate, award, ordr order, judge and determine of and concerning the said differences and disputed between the said parties Now this INDENTURE Witnesseth that each of the above named parties does covenant and agree with the other to stand to, abide by, observe and perform the award and

determination of the said three arbitrators or any two of them (in case of difference of opinion among them) touching the premises, that the said arbitrators shall judge and determine according to the principles of Hindu Law applicable to the parties the said differences and disputes excepting those expressly excluded hereinbefore touching the following points (1) Whether Sir P.N.Krishna Murti and P.N.Purnia were divided or undivided in interest. (2) Whether Sir P.N.Krishna Murti left any, and if any so what self acquired or separate property . (3) Whether P.N. Purnia left any, and if so what self acquired or separate property. (4) Whether Sir P.N.Krsihna Murti had any and if so what separate debts. (5) Whether P.N.Purnia had any and if so what separate debts. (6) What relief shall Lady Kaveri Bai Krishna Murti be entitled to by reason of the findings on the aforesaid issues. (7) What properties in satisfaction of the relief Lady Kaveri Bai Krishna Murti may be found entitled to shall be awarded to her under the circumstances of the case. That in case any of the three arbitrators aforesaid shall die, refuse or become incapable to act as such before the whole of the premises hereby referred shall be determined by the said arbitrators, then the parties hereto shall within 7 clear days nominate and appoint some other fit person to be arbitrator in the stead and place of such aforesaid arbitrator or arbitrators. That

the new arbitrators// or arbitrators appointed as aforesaid shall along with the other arbitrators continue and proceed with the arbitration as if he or they were originally appointed , That the arbitrators shall deliver their award within six months from the date hereof, That it shall be lawful for the said arbitrators or majority of them by written notices under their signature served on the parties and endorsed on this document to enlarge from time to time the period fixed for making their award so that the last extension does not exceed the 1st day of January 1915, That it shall be lawful for the said arbitrators to proceed ex-parte in the said several matters referred to them in case of the non-attendance of either of the parties hereto in person, or by recognised agent, or by a pleader duly empowered to act in her or their behalf after fifteen days previous notice in writing being given her or them for that purpose or left in the parties usual place of abode, That it shall be lawful for the parties hereto to produce before and deliver to the arbitrators any documents in their possession or power to cause or compel the production of any papers or documents in the possession custody or control of any of the parties hereto to adduce such evidenceas she or they may consider necessary and that pending the arbitration neither of the said parties shall bring or prosecute any suit or action in any court against the other of them concerning

the matter herein referred . In witness whereof the said parties have hereunto set their hands the day and the year first above written.

(2)

[illegible] [illegible]

That [illegible] [illegible] [illegible] [illegible]

all [illegible] statements [illegible]

[illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible]

as will as all [illegible] addressed

by Exiter [illegible] under Clause

above

Arbitrators will give due consideration to the recorded Statements of Sir P. N. Krishnamachariar and Mr P. N. Purnayya as well as their own Statements produced by either parts under clause for the purposes of this arbitration

1. Arbitrators to give due weight to the recorded Statements of Sir PN Krishnamachariar

2. Mr Narayana Purnaiya wants to add his own statement that the brothers were undivided & formed a joint family

Shared

Arbitrators will duly Consider the recorded statements of Sir P N Krishnamachariar and Mr P.N. Purnayya for the purposes of this arbitration as well as all their Statements produced by either parts under clause preceding

M. Narasinga Rao

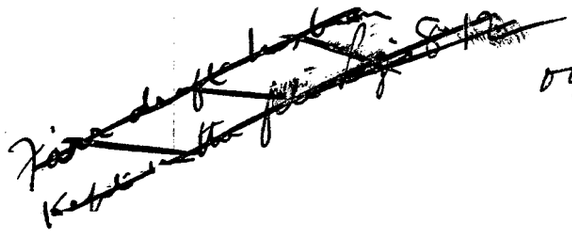
26/3.

31/3/14

Parties may be full & liberty to Statements of both parties in their own words as far as possible

In coming to a decision the arbitrators shall give due Consideration to the recorded Statements of Sir Krishnamachariar

Legal 8-12-14
D.O. No. 396 Dy
26. 1. 1914.



My dear Sir

~~Mr. Narasinga Rao Pantulu~~,

I write to acknowledge the receipt of your letter dated the 16th instant, containing ~~views~~ your views on the draft arbitration deed. ~~Mr M. Narasinga Rao on behalf~~ of Lady Krishna Murti has ~~also sub-~~ mitted her views on the same subject.

As this is a matter which can ~~be better settled by a personal~~ discussion with the parties concerned, ~~It would be well if you~~ would kindly come over here for a day some time next week ~~on deputation~~ ~~from your office~~ personally and make a ~~note~~ of the terms of the deed. In case you ~~prefer~~ some lawyer or agent on your ~~behalf~~ to discuss the draft deed with me and the representative of Lady K. so that ~~after the details are fully~~ all terms may be finally settled & ~~threshed out~~ necessary further action in the matter ~~may be~~ taken by Government without delay.

I have informed Mr. M. Narasinga Rao also to the same effect for the information of Lady Krishna [redacted]

Recd 3/2/14 SK.

Legis 8-12-40

Chikmagalur,
~~PURNAPRASADA~~
~~Bangalore~~ 1st Feb 1914.

Recd.

Dear Sir,

I thank you for your D.O. letter suggesting that I might go to Bangalore for a couple of days in connection with settling the terms of reference to arbitration or that I might depute somebody to act in my behalf.

As I have my own compunction to apply for leave so soon after my last visit to Bangalore I have asked my Sheristadar Mr. M.S. Ramadasappa to appear in my behalf whenever he may be required so to do and act under my instructions to represent my views in the matter of drafting the deed of Arbitration.

Hoping that the arrangement will be found acceptable to you,

Yours sincerely,

To.
K.R. Srinivasa Iyengar Esq, M.A.
Secretary to the Government of H.H.
The Maharaja of Mysore,
General & Revenue Departments.
BANGALORE.

Regis 8-12-40 P. H. H. 622

No. 4417

OFFICE OF THE PRIVATE SECRETARY TO
H. H. THE MAHARAJA OF MYSORE,

DATED, Mysore, 9-6- 1914.

Letter dated 1st June 1914 from Lady Krishna Murti, Purnaprasada, Bangalore, is forwarded with compliments, to the Dewan of Mysore, Mysore, for favour of submission of papers in the case.

By Order.,

Private Secretary.

To Secretary

Continuation of previous petition
dated 4th inst.
No question may be brought up at any
Council meeting until disposed of

11-6-14

C.S — Include in Agenda for next meeting
disposal.

12/6

Purnapragadha, 1184

1st June 1914.

Dear Sir,

I beg to enclose herein a copy of my latest representation of the facts of my case to the Government of His Highness and request the favour of your submitting the same for the gracious perusal and consideration of His Highness.

I also send herein enclosed a statement of the dates at which I have moved Government in respect of my annuity.

Yours faithfully,

LADY KAVERI BAI KRISHNAMURTHI.

R.H. Campbell Esq., C.I.E.,

Private Secretary to His Highness

the Maharaja of Mysore

Purnaprasadha,

Bangalore, 1st June 1914

To

M. Visvesvaraya Esquire, B.A.,C.I.E.,

DEWAN OF MYSORE

Sir,

On the 10th of October 1913, I ventured to address His Highness the Maharaja a representation that though His Highness' orders granting me an annuity of Rs.10,000 were passed on the 12th August 1912, no effect had been given to the same for reasons best known to the Government of His Highness.(Copy enclosed)

2. In para 6 of that representation I have respectfully stated the difficulties I have been subjected to in maintaining myself and my dependents caused by the delay in giving effect to His Highness' gracious orders and by my having no means whereby to raise funds for our maintenance

3. From the date of those orders which were graciously passed by His Highness the Maharaja down to that of this application a period of about two years has passed without a final settlement of the question whether effect should be given to those orders or not. During this period I have been paid a sum of Rs.8,000/-, as a provisional measure subject to the decision of that question and as a result solely of your sympathetic verbal suggestion to the present Jagirdhar.

4. All my representations to Government for a speedy decision in the matter of His Highness' orders being carried out or not by His Highness' Government have still been awaiting disposal. I was informed in letter No. J 1976 dated 19th January 1914 from the Secretary to Government that "the matter would be disposed of after the issue of orders on the petition for revision of Government Order No.J 476-7/Legis. 24 of 1911-15 dated 24th August 1917 now pending before Government"

5. Under Rule 5 para 1 of Government Order No.J 1811-17/ Legis 11 of 1912 dated 17th December 1913 Government have declared that application for the payment of annuity must be made to Government within three years from the date of default of payment by the Jagirdher. It will obviously be a difficult matter to apply the Law of Limitation to my case as it is not known when time should be considered to run against me.

6. I beg respectfully to point out that the question of the revised settlement of the maximum of annuity payable to me from the revenues of the Yelandur Jaghir, although the question was once decided by His Highness after a consideration of all the circumstances of the case, is one which can be disposed of independently of any decision or course being adopted in respect of various other matters connected with the affairs of

the Yelenqur Jaghir

7. I beg respectfully to state that if Government cherish any desire for an amicable settlement of these matters,as I have myself more than once requested hat work can be usefully undertaken quite apart from the problem of my annuity the payment of which is so absolutely essential to my existence in a condition of freedom from care and anxiety and in a manner suited to my rank and position in life. It is equally obvious that while the former question can only be settled at the will and option of the parties concerned, the latter question (viz. amount of annuity payable to me) does not admit of being disregarded altogether or delayed indefinitely.

8. Since my husband's death in December 1911 and the settlemen by His Highness in August 1913 of the question of my annuity which is still pending execution, I have not ~~the benefit~~ had the benefit of maintaining myself out of whatever resources should legitimately be mine: but have been subjected to the pain and annoyance of living on my credit. This situationof daily difficulty and discomfort has resulted from only one cause, viz. delay in the execution of His Highness' orders. It serves no useful purpose, nor is it beneficial to any party concerned that the widow and children of a nobleman who by his position and services deserved well of his country and his

Sovereign

Sovereign should during her life of sorrow and great physical sickness be subjected to a suspense which has practically become unendurable. This, among other considerations, will, I hope and trust, be taken as a sufficient reason for an early decision being given on the matter whether His Highness' orders of 17th August 1918 re my annuity should be carried out or not.

I remain, Sir,

Your obedient servant,

Kaveri Bai

LADY KAVERI BAI KRISHNAMURTHI

PURNAPRASADA,

BANGALORE,

October, 1913.

To

HIS HIGHNESS

SRI KRISHNARAJA WADAIYAR BAHADUR, G.C.S.I.,

Maharaja of Mysore.

MAY IT PLEASE YOUR HIGHNESS,

Your Highness' order fixing Rs. 10,000 as annuity payable to me as the widow and legal heir of the late Sir P. N. Krishnamurti from the Yelandur Jaghir revenue was passed on the 12th August, 1912.

2. This decision was I presume arrived at after consideration of all my previous representations to Your Highness on the subject.

3. The present Jaghirdar of Yelandur has not thought fit to this day to give effect to this order.

4. The amount of pension payable to my late husband and ordered to be placed at my absolute disposal has been claimed by Mr. Narasinga Rao Purnaiya as not being usable by me, but as being a sum to be utilised for purposes of a temple administration. That money has therefore been the subject-matter of litigation and the case is under trial in appeal before the Chief Court.

5. I am prevented from using, even for necessary purposes, the revenue derivable from the various self-acquired properties of my late husband until the question is definitively settled as to the alleged, but disputed, joint character of the entire estate of the Krishnamurti-Purnaiya family other than the Jaghir of Yelandur.

6. My attempts to secure funds on credit from local bankers to maintain myself, my daughter and my grandchildren have not proved successful by reason of the great hesitation created in business quarters for discounting loans owing to orders of Your Highness deliberately framed and publicly announced not being brought into force and the consequent dissociation in the public mind of all finality from even the considered decision of the Sovereign of the State.

7. Deprived, therefore, in all directions of any means of commanding sufficient money even for purpose of decent existence, I am subjected to trials and difficulties which, I venture to presume, may be easily realised.

8. In these circumstances, I am very reluctantly obliged to draw Your Highness' gracious attention once again to the facts of my case in respect of this annuity question. In doing so I venture to submit one or two points concerning that question.

9. The privilege of fixing;

(*a*) the status of an annuitant on the Yelandur Jaghir revenue on any member of the Dewan Purnaiya faimly now or hereafter,

(*b*) the quantum of that annuity and its proportion to that revenue, is neither, under any document of the nature of an executive order by the Ruler of Mysore, nor under any provisions of the Yelandur Jaghir Regulation, a privilege conferred upon the Jaghirdar of Yelandur for the time being. Even the ascertainment of his opinion in these cases is a concession of official courtesy rather than the recognition of a personal proprietory right. Occupying in the very nature of things the position of a party adversely affected by the limitations imposed on his freedom of using and enjoying the Jaghir revenue from the creation of annuities thereon, the Jaghirdar cannot reasonably be expected to reconcile himself cheerfully to any abatement of his revenue from the Jaghir.

10. That privilege, therefore, obviously is one of the prerogatives of the Sovereign of the land, being as it is absolutely on a par with his prerogative of conferring the Jaghir itself and of rendering its use and enjoyment either absolute or strictly conditional upon the Jaghirdar's faithful conformity to expressly prescribed obligations.

11. The prerogative of creating an annuitant and fixing his or her annuity on the Jaghir revenue independently of the opinion of the Jaghirdar in this behalf is therefore one that is vested in Your Highness.

12. A prerogative of this nature is not in the circumstances of the Mysore State often called into exercise; and, when exercised at all, is brought into force once for all as the outcome of Your Highness' declared decision in respect of such matter. It cannot be suspended or disregarded or nullified by the conduct of any other authority or person under Your Highness' sway without prejudice

in popular estimation to the spirit of reverence and submission to be manifested to the final decree of Your Highness.

13. I, therefore, most respectfully supplicate Your Highness for an early enforcement of Your Highness' gracious orders of 12th August 1912 as it would be a great measure of relief from a most inconvenient situation to so poor and helpless a subject of Your Highness as myself.

I beg to remain,

Your Highness' Most obedient

and humble subject,

(Sd.) KAVERI BAI,

LADY KRISHNA MURTI.

Sir P.N. Krishnamurthi died	10th December 1911
Govt. decided the question of succession to the Jaghir and my annuity at Rs.10,000/-	12th August 1912 — 8 months
I applied for payment being caused at the Bangalore District Treasury as the Jaghirdar had not cared to obey Government orders.. PETITION	4th September 1912
Government passed a set of rules re- the place and manner of payment of the annuities..	17th December 1913 — 1 year 3 months
I repeated my prayer for payment being caused in accordance with the rules..	19th December 1913
Government replied "the matter would be disposed of after the issue of orders on the revision petition....	12th January 1914 — 23 days — 5 months
	6 - 1914.

28 months —

i.e. 2 years 4 months

Legis 8-12-42 Legis: 8-12-42

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read:-

1. Paragraph 6 of the G.O. No. J. 464-7/Legis. 24-11-15 dated the 12th August 1912, fixing the annuities payable to the first branch of Dewan Purnaiya's family, under section 3 of the Yelandur Jaghir Regulation.

2. Petition dated the 31st August 1912, from Mr. Narasinga Rao Purnaiya, Jaghirdar of Yelandur, requesting a re-adjustment of the annuities ordered in the above Government order.

3. Memorial from Mr. Srinivasa Murti Purnaiya stating that the Government order assigns no annuity to him and praying for the grant of an annuity of Rs 10,000 to him as the younger brother of the Jaghirdar.

4. Correspondence ending with letter dated the

This draft may be kindly returned to the Council Section after use
[illegible]
5/12/15

(X filed in [illegible] Vide Order No. 134/1915

Dewan 3/12

2. An additional annui
ty of Rs 4,000 shall also
be paid to Lady Kaveri
Bai Krishna Murti, out
of the surplus of Yelandu
Jaghir revenues, only
during her life time

3. The above distribu
tion will take effect from
the date of the death of
Sir P.N. Krishna Murti.

30.9.15
RB

Secretary to Government
General Department.

To

Lady Kaveri Bai Krishna
Murti
Mr. Narasinga Rao Purnaiya
Jaghirdar of Yelandu.
Mr. Srinivasa Murti
Purnaiya